

internal security as we move forward—an E-Verify system—making sure that we can actually verify the jobs within our communities so we can address not only jobs, but the high unemployment in so many areas; making sure that we actually have a temporary worker program so that we can address our ag economy.

Let's make sure that we have a top-to-bottom approach. So I ask that this body address this in a bipartisan fashion.

**PROVIDING FOR CONSIDERATION OF H.R. 2218, COAL RESIDUALS REUSE AND MANAGEMENT ACT OF 2013, AND PROVIDING FOR CONSIDERATION OF H.R. 1582, ENERGY CONSUMERS RELIEF ACT OF 2013**

Mr. BURGESS. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 315 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

**H. RES. 315**

*Resolved*, That at any time after the 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. 2218) to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment. 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. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in part A 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 committee

amendment in the nature of a substitute. 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. 2. At any time after the 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. 1582) to protect consumers by prohibiting the Administrator of the Environmental Protection Agency from promulgating as final certain energy-related rules that are estimated to cost more than \$1 billion and will cause significant adverse effects to the economy. 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. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, 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 113-19. 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.

The SPEAKER pro tempore (Mr. DENHAM). The gentleman from Texas is recognized for 1 hour.

□ 1300

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), 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 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 315 provides for consideration of two pieces of legislation passed by the Committee on Energy and Commerce. The first, H.R. 2218, the Coal Residuals Reuse and Management Act of 2013 introduced by my friend on the committee, Mr. MCKINLEY from West Virginia, passed out of committee with a strong bipartisan vote with 54 bipartisan cosponsors. The second piece of legislation, H.R. 1582, the Energy Consumers Relief Act of 2013, was introduced by my friend Mr. CASSIDY from Louisiana.

The rule before us today provides for 1 hour of general debate on each of the bills included in the rule. A total of nine amendments were made in order between the two bills, six on the Democratic side and three on the Republican side. Further, the minority is afforded the customary motion to recommit, allowing for yet another opportunity to amend each piece of legislation before it's final vote.

H.R. 2218, the Coal Residuals Reuse and Management Act of 2013, is a product of hours of work over the course of the past few years that the gentleman from West Virginia (Mr. MCKINLEY) has put in to perfect this legislation. Indeed, the legislation includes numerous provisions offered by Democrats and even reflects input by President Obama's own Environmental Protection Agency.

This legislation was prompted by a move in June of 2010 by the Environmental Protection Agency to regulate coal combustion residuals. In this rule, the Environmental Protection Agency set out three proposals for coal residuals, commonly referred to as coal ash. Coal residuals are often recycled in an environmentally sound fashion and repurposed for use in roads, parks, golf courses, and any other number of safe manners. Unfortunately, many in the industry viewed these proposed Environmental Protection Agency regulations as placing barriers to the continued use or recycling of coal ash.

In response to these concerns, Mr. MCKINLEY's bill would provide for minimum Federal standards but allow States to craft a permitting program that could be tailored to the needs in each individual State. The bill makes clear that it does not provide the Environmental Protection Agency with new rulemaking authority. Further, it requires the Environmental Protection Agency to defer to the States with respect to the regulation of coal ash. This would allow States to protect human health and the environment by adapting an existing solid waste regulatory program for coal ash. To ensure adequate safety measures for human health, the bill requires installation of groundwater monitoring at all structures that receive coal ash.

The second bill included in today's rule has been carefully designed to protect consumers from a runaway Environmental Protection Agency which, in my experience as a member of the Committee on Energy and Commerce, constantly uses some pretty strange figures and some funny math in depicting the so-called benefits of its rules and rarely fully admits to the full cost of the rules it promulgates.

Since the beginning of President Obama's, Lisa Jackson's, and Gina McCarthy's tenure with the Federal Government, the Environmental Protection Agency has promulgated regulations imposing billions of dollars in costs on our critical power infrastructure. Famously, the Environmental Protection Agency has been so out of control that the President himself was required to intervene and pull the ozone rule in August of 2011, knowing that the cost to the country far outweighed the benefits that the Environmental Protection Agency was claiming.

In response to this out-of-control agency, Dr. CASSIDY has carefully crafted H.R. 1582, the Energy Consumers Relief Act, which would add another measure of protection for consumers legitimately frightened of whether or not they will be able to afford their air-conditioning this summer or their heating this fall, or even to turn on their lights at nighttime.

The bill is straightforward. It requires that, before promulgating a final rule that would impose an aggregate cost of \$1 billion on the American people, the Environmental Protection Agency must consult with the Secretary of Energy, a Cabinet member who will be working for the very same President as the Administrator at the Environmental Protection Agency. The Energy Secretary must then determine that the rule before him would not cause significant adverse effects to the economy or to electric reliability, as is his job. That's what his mission statement is as the top energy official for our country.

For too long, the Environmental Protection Agency has dictated our energy policy rather than simply our environmental policy. Former Energy Secretary Steven Chu seemed to have no problem passively delegating his job to Lisa Jackson. I suppose he was too busy losing America's money to solar companies. The era of the Environmental Protection Agency dictating energy policy must end, and this bill is a solid step toward that goal.

Mr. Speaker, American consumers are struggling. They watch the cost of food as it rises right before their eyes. They watch the gas prices. Where are they going? Nowhere but up. They watch their electricity bills. They are also going up. There is no relief in sight on the horizon under this President and this administration.

House Republicans have not abandoned their promises to protect consumers from an out-of-control bureauc-

racy imposing cost after cost on the American people. Today's legislation is yet another few arrows in the quiver to stop the Federal Government from taking more money out of Americans' pockets.

As I encourage my colleagues to vote "yes" on the rule and "yes" on the two underlying bills, I reserve the balance of my time.

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

I would like to begin my remarks by correcting my friend from Texas with reference to his 1-minute statement previous to the time that we began the rule.

As I understood him, he said that for the last 20 months, Democrats have controlled every level of power. Somewhere along the line, I think my friend must be very confused about what the responsibilities of the United States House of Representatives is and are.

That said, my recollection is that in this Congress, which has consumed 6 months, and in the previous one, which took 2 years, that my friends in the Republican Party have controlled the House of Representatives. Unless there is no longer one level of power in Washington, something is misunderstood by me.

Mr. Speaker, the House faces a number of pressing issues that have bipartisan support and that we could be addressing in our limited time before the August recess. For example, we could be reforming in a comprehensive manner our Nation's immigration system. We could be ending the sequester. I have not met a Democrat or a Republican that did not say that the sequester was a bad idea. We could be addressing the doubling of student loan interest rates. We could be having a conference on a farm bill, or we could be appointing—something that I still find very strange—we could be appointing budget conferees.

It used to be that having a conference around this place was a real opportunity for Members, and Members sought to be on the conference. I know my first experience I was fascinated by the fact that I'm on a conference with the other body, the United States Senate. Little did I know that their rules provided for them to vote by proxy, but I came to learn that perhaps it wasn't as important as I thought it was, but it is important to the process.

But for any of these important issues to be addressed, Members would have to work together to resolve their differences. Instead, we're spending our time on two bills that my friends across the aisle know will never become law. I don't have to be a betting person to bet anybody in this institution that what we are discussing here today will not become the law of the land. The reason that I know that is we've already done it four times, this same measure, and it didn't see the

light of day in the other body. This one ain't going to either.

These bills today show what I've been saying for quite some time now, and it's that my Republican colleagues really are not manifesting interest in actually fixing our country's problems. In fact, it seems that they're more happy to simply bring Congress to a standstill and call that success.

Mr. Speaker, political victories are not victories for struggling families. In case these bills are not clear enough evidence, my friends recently released their messaging plan for the August work period in our respective districts. That plan is called "Fighting Washington for All Americans." Wow. Despite the irony, I would almost want to call it hypocrisy of sitting Members of Congress trying to paint themselves as outsiders and reformers while ignoring their key role in creating the gridlock. Fighting Washington for All Americans urges Members to consider Washington as a place where nothing good happens, so the less governing that gets done, the better. Yet these two bills today completely contradict those ideas.

H.R. 1582 gives the Department of Energy unprecedented authority to veto Environmental Protection Agency-related regulations. Not only does the bill prevent the EPA from finalizing critical public health and environmental rules, it instructs the Department of Energy to conduct a duplicative and convoluted analysis without any new resources. These are the people that say bureaucracy is a problem, and yet they're creating additional bureaucracy within the framework of these two measures.

□ 1315

I said yesterday in the Rules Committee I would be astounded at how much time it's going to take the Energy Department and the EPA to coordinate their efforts. Evidently, these people haven't been trying to talk to these bureaucrats the way that I have over the course of time, and it requires, this measure does, extra examination, despite the Office of Management and Budget's interagency review of all regulations, which includes the Department of Energy, in the review of EPA rules.

I did a little research, Mr. Speaker, on how many times over the course of the time that I've been here that Members on the other side have offered measures, that did not become law, to abolish the Department of Energy. Hear me loud and clear: to abolish the Department of Energy.

Now we come today, after that having been done numerous times, we come today and the Energy Department is the answer. These same people wanted to, I guess everything with an "E" that's in the Cabinet, they wanted the Department of EPA to be abolished at one time, the Department of Education. They need to change their acronyms over there or else they'll find themselves abolished, if they don't get past A, B, C, D—E.

Not only does the bill prevent the EPA from finalizing critical public health and environmental rules, it instructs the Department of Energy to do, as I said, duplicative measures.

As for H.R. 2218, the Coal Residuals Reuse and Management Act, the second bill being considered under this rule today, it encourages, in my view, a race to the bottom, where the State willing to have the least protections will become the dumping ground for the entire country.

I said last night that I would be mad today. I tempered myself with my passion over my reflections of my comments in the Rules Committee, but I cannot but return to them when I think of the community that I live in, and have lived in for now coming up on 51 years, where every one of the Superfund Brownfields was in the minority community. Every dump that ever dumped anything in Broward County was in minority communities—treatment waste across the street from where I live, and I guess perhaps these people have not had those experiences.

While there are certainly inefficiencies within the Federal Government—and they are numerous—the 2008 coal ash spill in Kingston, Tennessee, is evidence that the Environmental Protection Agency has an important role to play in protecting our Nation's public health.

This bill would allow States to undertake permitting programs for the management of coal ash; and let me talk about what's in coal ash. People seem to think that coal ash is all of this great stuff. Coal ash has in it mercury, lead, cadmium, hexavalent chromium, if you can say that. These are things that are poisonous. And yes, it is true that we have managed under the regulations to constrain ourselves with many of these products that have been utilized for benefit, but do not mistake arsenic and cadmium and lead for anything other than harmful products.

The Federal environmental standards that are put forward here do not take into contemplation how important it is to establish uniform protections for our Nation's health and environment.

Let me return to the Kingston, Tennessee, situation. The Tennessee Valley Authority is still paying in excess of \$1 billion, somewhere in the neighborhood of \$1.2 billion for taking this stuff and dumping it in Uniontown, Alabama, 100 feet from where people live; and, I suggest, as is the case in the community that I am privileged to serve, where people that are friends of mine have died as a result of not coal ash but dumps being in their communities and incinerators burning it, and it's the same in many respects.

I compliment Florida Power & Light, the largest utility in my State, for destroying their two coal ash plants in Fort Lauderdale, and we still find that Florida Power & Light still manages their business well enough to make handsome profits.

As far as electric rates going up, I would suggest to my friend, it's sort of

like health care measures. And I continue to ask everybody, tell me the day, before there was anything called ObamaCare, tell me the day when your insurance rates for health went down. Tell me the day that your utilities went down. I don't recall any period where that happened; and somewhere along the line, we need to address these things in meaningful ways.

Different standards in each State provide an economic incentive to send coal ash to the State with the lowest level of regulation. This bill will not ensure the safe disposal of coal ash or make current law any stronger.

Fighting Washington—that's what you're getting ready to say in August—does not keep our air and water clean. Fighting Washington does not provide the sick with medical treatment. Fighting Washington does not keep Wall Street from preying on the American people. Fighting Washington does not provide student loans for children who aren't going to be able to return to school this year because of the prohibitive costs.

Fighting Washington does not provide immigration reform in a comprehensive manner. And somewhere along the line we have to understand there are more than 11 million people in this country that are here illegally. And I can point to you people that work right around this Capitol—and a few that are in it—that we rely upon, that we need to straighten this law out about. But we prefer to fight Washington.

Fighting Washington doesn't help the Centers for Disease Control prevent us from having diseases. At Robert E. Lee High School in Fairfax County, one of the best counties for education in this country, they've had a recall of students for tuberculosis, something I thought we had pretty much abolished. But when we can't find the necessary research money and we can't find the necessary provisions—largely because we're fighting Washington—then we're going to have other outbreaks like that that we have to contend with.

Fighting Washington doesn't provide the National Institutes of Health the things to do to provide women's health and male research in order for us to better the health of the United States of America.

Fighting Washington makes for great talking points, and might even make for great fundraising. It might make for a good bumper sticker, but it is far from a serious strategy to actually make this country better. A better title than "Fighting Washington for Americans" would be "Washington Fighting for Americans."

Now this do-nothing Congress, and I've been here 21 years, is giving new meaning to do nothing. And all of this repealing things didn't just start this year. Next week, we'll be back here on the floor talking more repeal. We're going to have something called the REINS Act. We're real good up here at naming things—R-E-I-N-S. We're going to be doing some more repealing.

But in the 112th Congress—I looked back—we had 137 votes to block actions

to prevent pollution. We had 55 votes targeted at the Department of Energy. We had 57 votes to defund or repeal clean energy initiatives. We had 47 votes to promote offshore drilling. We had 81 votes targeted at the Department of the Interior. We had 87 votes to undermine protections for public lands and wilderness. We had 53 votes to block actions that address climate change. We had 38 votes to dismantle the Clean Water Act. So 317 repeal votes. I've changed you-all's name. It's no longer the Republicans; it's the "Repealicans." You must be people that just repeal.

And over in the other body, they're "Republustructionists" because their whole objective—and that gets ignored here when we start talking about who's responsible for what. It gets ignored that the minority in the other body has arcane rules that permit them to block everything, and that's what they've done, everything you haven't blocked or sought to repeal. Here we have been trying to get health care for people, and you-all are voting to repeal health care 39 different times.

I'm tired of voting on that kind of stuff. I want to vote on something that's going to provide some jobs for America. I want to vote on something that's going to help some students have some jobs when they get out of school. I want to vote on something that's going to allow for technology and innovation to catch up with what's going on in the world. I want to make sure that we exact our responsibilities, particularly with reference to education.

I just left a meeting with homeless providers and nonprofits. I want to make sure that there's Meals on Wheels. I want to vote on something to make sure that every child has an equal opportunity for a very good education in this country. I want to vote on something that's going to look 50 years down the road to what America looks like, and not 50 months from now, or not 1 month from now in August when you're going to be fighting Washington.

I'm going to be up here with you in Washington, and we are consummate insiders, and it's ridiculous for you to go home and try to tell somebody you're anything other than that. And you do control one-third of the legislative body. And you do have exacting responsibilities given to you under Article I that you're not exercising. You have the Ways and Means' ability. You have the numbers to undertake to do those things.

So, yeah, I'm mad. And I think many in America are mad, too, with a Congress that's doing nothing.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself 1 minute for a couple of brief responses.

First off, I don't know whether the gentleman misheard or only caught me

in midsentence. I was responding to the minority leader's statement about this September is the 4-year anniversary of the crash in the economy, and the preceding 20 months, from September of 2008, in the Congress, all of the levers of power were handled by the Democrats.

Now, on this issue of fighting Washington, good strategy, bad strategy, I can't address that. But I do know what's going on out in this country—people are frightened of Washington. They're not fighting Washington; they are scared. Why are they scared? What are they seeing with the NSA? What do they see with the TSA when they go to the airport? What are they seeing with the IRS? Nobody likes the IRS to start with, but now people are concerned that their First Amendment rights are going to be trampled by an out-of-control Federal agency. And I have to tell you what, Mr. Speaker, it all devolves back to the administration. Yeah, the Congress has its own problems, but the administration is actually what is driving the frightening of America, not the fighting of America.

I now yield 5 minutes to the gentleman from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. Mr. Speaker, I rise today in support of the rule.

For over 33 years, Congress has wrestled unproductively on how to deal with coal ash, which is an unavoidable by-product of burning coal.

The bill before us today provides a resolution, finally, to this issue and avoids kicking the can down the road.

H.R. 2218 has two parts. The first part codifies the previous EPA studies that were conducted in 1993 and 2000 under Bill Clinton, both of them. I have copies of it here. And perhaps those that need to read those reports would understand that in the 1993 and in the 2000 reports, they concluded that coal ash is a nonhazardous material and should be beneficially recycled for use in products such as concrete block, brick, wallboard, and used in our roads and bridges across America.

The second part, unfortunately they're not aware of it yet, but if they'd read the bill, they would find that it has been significantly rewritten since last year. We listened to what people were saying. We listened to the EPA, we listened to the administration, and incorporated those into this bill, so that this second part now provides for all new and existing landfills to be State run, using a Federal law known as RCRA, which in and of itself incorporates the Federal guidelines for protecting "human health and the environment."

Consequently, disposal requirements under H.R. 2218 will require composite liners, dust control, groundwater monitoring, financial assurances, emergency action plans, inspections, and structural stability, just to name a few. In fact, the EPA states that RCRA's primary goals are to:

Protect human health and the environment, to reduce the amount of waste gen-

erated, and to ensure that wastes are managed in an environmentally sound manner.

□ 1330

For the first time, there will be a uniform national standard for disposing of coal ash. However, as you just heard, you hear opponents of this legislation state this legislation does not protect human health and the environment. But quite frankly, that's not the case.

H.R. 2218 not only includes nine different references and sections of RCRA which protect human health and environment, but also incorporates the existing RCRA part 258 regulation.

To use the words of the EPA, "EPA believes that part 258 criteria represents a reasonable balance ensuring the protection of human health and the environment."

The opponents of this measure seem to lack a fundamental understanding, Mr. Speaker. There are jobs at stake here, 316,000 jobs across America. It's really that simple.

A compromise is available. Anyone who opposes this rule will continue to support the status quo. If we do nothing, coal ash, which is generated every day in 48 of the 50 States, will continue to be disposed of. The status the way it's been since the 1950s and '60s and the unwarranted stigma that's associated with recycled materials will continue.

Fortunately, finally, today, after listening and compromising and working together, there appears to be an emerging consensus to allow for the beneficial recycle of coal ash, and the concerns raised by a previous Congress have been addressed.

Mr. Speaker, after 33 years of fussing with this issue, it's time to put it to rest.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

And would the Speaker be kind enough to tell both sides how much time we have remaining?

The SPEAKER pro tempore. The gentleman from Florida has 13½ minutes remaining. The gentleman from Texas has 17½ minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Several of our colleagues, including the previous speaker, are suggesting that this bill is better than previous versions. But this is actually the worst version yet from a public health and environmental perspective.

All you have to do is look at the Statement of Administration Policy to see how this bill has gotten worse. The administration is concerned that there's no clear and appropriate authority for taking corrective action on unlimited or leaking impoundments or units.

Unlike H.R. 2273, from the last Congress, this says that an unlined impoundment that is found to be contaminating groundwater only has to

close after alternative disposal capacity is available at the same site. Well, many of these facilities don't have the space for additional capacity at the same site. That means that the pollution can go on for years, or even indefinitely.

This bill is the worst version of coal ash legislation yet. That's why all the environmental groups oppose this legislation. They even sent a letter to the House today that states, "This bill is more dangerous to human health and environment than previous versions of this legislation."

Mr. Speaker, I'm very sad today. One of my college classmates is being funeralized, or has been funeralized as we are speaking. Her funeral was at 11 o'clock. She lives in a community called Golden Heights. In Golden Heights, in a 2-square mile radius from a dump that dumped into that community for a considerable period of time, the incidence of cancer of dear friends of mine, male and female, is inordinately high by comparison to any other place in the State of Florida.

Something is wrong with the picture of continuing to pollute and to not be mindful of who are the victims of that pollution.

Mr. Speaker, I make the distinction that I was not talking about coal ash, and I'm glad I don't live near one of those places where they are dumping like in Uniontown, Alabama.

If we defeat the previous question, I'm going to offer an amendment to the rule to bring up H.R. 2070, Representative TIM BISHOP's bill to protect consumers from price gouging at the gas pump.

To discuss his bill, I would like now to yield 3 minutes to the distinguished gentleman from New York (Mr. BISHOP), my friend.

Mr. BISHOP of New York. Mr. Speaker, I thank the gentleman for yielding.

I rise in opposition to the rule, and urge my colleagues to defeat the previous question so that the House can consider pro-consumer, job-protecting legislation, the Federal Price Gouging Prevention Act, which would deter the sale of gasoline at excessive prices.

I introduced this legislation so that my constituents and Long Island businesses are not harmed by unscrupulous business practices designed solely to increase profit margins.

My constituents are facing rising prices at nearly every turn, on top of stagnated wage growth. They're worried about paying for college, paying the mortgage, saving for retirement, or just paying for groceries. They're also wondering what Congress is doing for them to create jobs and to raise their standard of living.

AAA estimates gas prices are expected to increase as the summer continues. In fact, AAA reports that the average price per gallon is up to \$4 on Long Island from \$3.87 a week ago. This comes as Americans are heading to Long Island's beaches, historic villages, and open spaces. Excessive gas

prices will cost Long Island businesses and jobs, and that's something that we cannot let happen on Long Island or anywhere else in this country.

The east coast is also in the midst of hurricane season, which can bring out the unscrupulous who would take advantage of hardworking families, as we witnessed in the aftermath of Sandy. In fact, just this week a New York State judge fined one Long Island gas station, and two others have reached settlements with the New York Attorney General's Office for price gouging.

This Congress should protect those harmed by natural disasters so they don't have to worry about price gouging while they rebuild their homes, communities, businesses, and livelihoods. Let's do it now before the next crisis erupts.

Mr. Speaker, I urge my colleagues to defeat the previous question, support consumers and jobs, and support the Federal Price Gouging Prevention Act.

Mr. BURGESS. Mr. Speaker, let me yield myself 30 seconds for response, pending which I'm going to yield 2 minutes to the gentlelady from West Virginia.

In the brief 7 months that I have spent on the Rules Committee in this Congress, there's only one time where the administration has not issued a veto threat to legislation we were considering under the Rules Committee. This is H.R. 2218, Mr. MCKINLEY's bill. They voiced problems, but they did not issue a veto threat. That is a red letter day in this institution.

Every other piece of legislation that's come to the floor has done so under a threat of a veto by the administration.

I yield 2 minutes to the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Mr. Speaker, I rise today in strong support of the rule and the two underlying energy bills that the House will consider today. I'm a proud cosponsor of both of these bills because they will protect West Virginia jobs and prevent increases in electricity costs for many of those millions of folks across this country that cannot afford it.

My colleague, Mr. MCKINLEY, has worked tirelessly to see that H.R. 2218 has met the demands and answered the questions.

And to my colleague from Florida, when he stated that he's glad he doesn't live in these areas, guess what? We do. So it's exceedingly important to us that we do this the right way. And that's why I'm supporting the framework for state regulation that will ensure that coal ash will be used productively.

I visited the Sutton Dam in my district for its 50-year anniversary. And I can tell you, I was there when it was built, and I was there 50 years later. As they were describing the Sutton Dam and how successful it's been—and it's still a fortress of strength, holding the water back—they started talking about the construction materials used 50 years ago.

And guess what?

Coal ash was one of those construction materials that was used to strengthen this dam, and to also have it stand the test of time.

So, I think the regulatory uncertainty that's been around for years about what to do about coal ash has really cut the use of coal ash by millions of tons. But also, wouldn't we rather be recycling and reusing this in a productive measure, rather than increasing the impoundments and increasing any kind of risk to the environment?

This bill just makes perfect sense.

And the second bill addresses the growing number of billion-dollar EPA rules. In my view, billion-dollar EPA rules have two major costs: costs of jobs, and the cost to seniors and those on fixed incomes and the folks who are trying to heat their homes or cool their homes to be able to meet the high cost of electricity. So these make great sense to me.

I'm very proud of my colleague from West Virginia for bringing this to the floor for the fifth time, and it will pass again.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

The previous speaker is a person that, there are few in Congress that I have greater respect for. I certainly understand the dynamics of living in communities. In my judgment, she's absolutely correct that what we should be doing is everything we can to constructively make sure that we are about the business of ensuring the health of the communities that we live in.

So, to that degree, while I stand by my position that I'm glad I don't live next to these facilities, unfortunately, I live close to, and have for some time, facilities that have been harmful that claimed that they were protecting the health and the environment of people.

Mr. Speaker, yesterday in the Rules Committee, my friend from Illinois (Mr. SHIMKUS) said something that I would like to correct. He'll be down here, I'm sure, later today or whenever this measure comes up. He noted that the Environmental Protection Agency testified "that they do not oppose" this coal ash bill.

I want to make sure that everyone knows that the Environmental Protection Agency said that because they are not permitted to take a position on legislation, only the administration is allowed to say they support or oppose legislation. And in the administration position last night, they did not say that they don't support the coal ash bill, nor was it a veto threat.

I would urge my colleague from Texas to point me to the time that Barack Obama has vetoed something.

One of the things, I've been on that committee—he's been there 7 months. I've been there years, and I've been there with other Presidents, and it is not uncommon for Congress to propose

and to have the administration oppose and vice versa.

Mr. Speaker, both of these bills before us today are so tilted toward commercial operations that they reflect a warped sense of what is important to the people in this great country of ours. These bills undermine environmental laws that have been proven to protect communities and provide for the development of energy to run America.

While we need to develop laws that promote energy and commerce, snide commentary regarding failed policies at the Department of Energy ignores the number of successes through the years under different administrations and this one that the Department of Energy has put forward.

We cannot, in many respects, develop laws that promote energy and commerce and ignore the consequences of those activities. Pollution is not equivalent to progress.

Mr. Speaker, I urge my colleagues to oppose this rule and the underlying bills, and I ask unanimous consent to insert the text of my amendment to the rule in the RECORD, along with 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 Florida?

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, I urge my colleagues to vote "no" and to stop being "Repealicans" and be about the business of trying to do something constructive in this House of Representatives.

I would ask them to vote "no" and defeat the previous question. I urge a "no" vote on the rule, and I yield back the balance of my time.

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

Mr. Speaker, we all know, in order for this economy to flourish, energy has to be available and energy has to be affordable. Unfortunately, the situation we've seen in recent years is anything but that.

The Department of Energy was created back in the 1970s in response to the Arab oil embargo. The Department of Energy was created to deal with the situation of scarcity.

□ 1345

Unfortunately, the Department of Energy has not evolved since that time. And where do we find ourselves today? We find ourselves right on the threshold, right on the horizon of America being an energy exporter, again, for the first time in a couple of decades. That's a huge change.

Has the Department of Energy changed and kept pace with the reality that is going on in development of energy in State lands, private lands, and, yes, some Federal lands? Have they kept pace with the development within the industry? I submit they have not. I submit that they have been an impediment.

Yes, I'd be happy to work on improving where the Department of Energy could be, in fact, a facilitator rather than an obstruction for developing energy for our economy. Because we know without available and affordable energy, the promise that the economy can create the number of jobs that it needs to create—not just to replace those jobs that have been lost, but all of those people who are getting to the age where they expect a job to be there for them—and without that energy production, it's not going happen.

Now, I do want to talk about the other bill that's before us today, Dr. CASSIDY's bill, H.R. 1582. Let's think about this for a minute. The Congress works its will on a bill. It becomes law. That law then goes to the regulatory agency. They work their will on the bill. And we all know the story. A thousand-page bill here on the floor of the House can generate 10,000 pages of regulation in the Federal Register.

I don't know about you, Mr. Speaker, but it's hard to discipline myself to wake up every morning and read what was written in the Federal Register the day before. The American people who are out there creating and producing certainly don't have time to do that.

But when these rules are then visited upon the people, what happens then? Well, they just simply have to accept the effect of those rules. Congress did that a couple of years ago. They are not playing in that arena any longer.

Here's what Dr. CASSIDY says. He says that before promulgating a final rule that would impose an aggregate cost of \$1 billion on the American people, the Administrator of the EPA has to consult with the Secretary of Energy. This seems like a logical and straightforward maneuver. In fact, we will talk about the REINS Act in the weeks to come. And they have to come back to Congress and get us to either say "yes" or "no" on that regulation that is going to have such a profound effect on the American people.

Mr. Speaker, I've been in business before. I've made investments before. I know very well if someone comes to investors with a cash call and says you're going to have to pony up a lot more money here, the very least that the investor expects at that point is a pro forma, a profit and loss sheet, or some reasonable expectation that there can be a return on investment.

You say, Wait a minute, nobody's coming to the American people with a cash call. Well, it's called April 15. And it is a cash call. And we owe them that scrutiny; the Department of Energy owes them that scrutiny. I would assert we owe them an up-or-down vote on those regulations that are going to have such a profound effect on the economy.

Mr. Speaker, today's rule provides for the consideration of two critical bills ensuring that the American people are not further penalized by out-of-control policies coming out of the Environmental Protection Agency. Consumers need relief, it is clear.

For that reason, I urge an "aye" vote on the previous question, an "aye" vote on the rule, and an "aye" vote on the two underlying bills.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

AN AMENDMENT TO H. RES. 315 OFFERED BY  
MR. HASTINGS OF FLORIDA

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

SEC. 3. 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. 2070) to protect consumers from price-gouging of gasoline and other fuels, 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. 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 recommend 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. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 2070.

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. 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. 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 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 224, nays 191, not voting 18, as follows:

[Roll No. 399]

YEAS—224

Aderholt	Brooks (AL)	Cook
Alexander	Brooks (IN)	Cotton
Amash	Broun (GA)	Cramer
Amodel	Buchanan	Crawford
Bachmann	Bucshon	Crenshaw
Bachus	Burgess	Culberson
Barr	Calvert	Daines
Barton	Camp	Davis, Rodney
Benishek	Cantor	Denham
Bentivolio	Capito	Dent
Bilirakis	Cassidy	DeSantis
Bishop (UT)	Chabot	DesJarlais
Black	Chaffetz	Diaz-Balart
Blackburn	Coffman	Duffy
Bonner	Cole	Duncan (SC)
Boustany	Collins (GA)	Duncan (TN)
Brady (TX)	Collins (NY)	Elmers
Bridenstine	Conaway	Farenthold



Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck (NV)  
Hensarling  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce  
Kelly (PA)  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
LaMalfa  
Lamborn

## NAYS—191

Andrews  
Barber  
Barrow (GA)  
Bass  
Beatty  
Becerra  
Bera (CA)  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Brownley (CA)  
Butterfield  
Capps  
Capuano  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu  
Cicilline  
Clarke  
Clay  
Cleaver  
Clyburn  
Connolly  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio

DeGette  
Delaney  
DeLauro  
DelBene  
Deutch  
Dingell  
Doggett  
Doyle  
Duckworth  
Edwards  
Ellison  
Engel  
Enyart  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Garcia  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Holt  
Honda  
Hoyer  
Huffman

Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Royce  
Runyan  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
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  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (FL)  
Young (IN)

McNerney  
Meeks  
Meng  
Michaud  
Miller, George  
Moore  
Moran  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Negrete McLeod  
Nolan  
O'Rourke  
Owens  
Pascarell  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters (CA)  
Peters (MI)  
Peterson  
Pingree (ME)  
Pocan  
Polis

Barletta  
Bustos  
Campbell  
Cárdenas  
Carter  
Coble

## NOT VOTING—18

Cohen  
Grimm  
Herrera Beutler  
Horsford  
McCarthy (NY)  
Pallone

## □ 1413

Messrs. MCINTYRE and LARSON of Connecticut, Ms. MENG, and Mr. GARAMENDI changed their votes from “yea” to “nay.”

Messrs. GRAVES of Missouri and CULBERSON changed their votes from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Mr. COHEN. Mr. Speaker, I was unavoidably detained during rollcall vote 399, if 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. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 232, noes 188, not voting 13, as follows:

[Roll No. 400]

## AYES—232

Aderholt  
Alexander  
Amash  
Amodei  
Bachmann  
Bachus  
Barber  
Barr  
Barton  
Benishek  
Bentivolio  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Boustany  
Brady (TX)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Buchanan

Bucshon  
Burgess  
Calvert  
Camp  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Conaway  
Cook  
Cotton  
Cramer  
Crawford  
Crenshaw  
Culberson  
Daines  
Davis, Rodney

Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Duckworth  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gardner  
Garrett

Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Green, Gene  
Griffin (AR)  
Griffith (VA)  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck (NV)  
Hensarling  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
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  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Paulsen  
Pearce  
Perry  
Petri  
Pittenger  
Pitts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Radel  
Rahall  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rooney

## NOES—188

Andrews  
Barrow (GA)  
Bass  
Beatty  
Becerra  
Bera (CA)  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Brownley (CA)  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu  
Cicilline  
Clarke  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio

DeGette  
Delaney  
DeLauro  
DelBene  
Deutch  
Dingell  
Doggett  
Doyle  
Edwards  
Ellison  
Engel  
Enyart  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Garcia  
Grayson  
Green, Al  
Grijalva  
Gutiérrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Holt  
Honda  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries

Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis  
Lipinski  
Loebsack  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lynch  
Maffei  
Maloney,  
Carolyn  
Maloney, Sean  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Meng  
Michaud  
Miller, George  
Moore

Moran	Ruiz	Takano
Murphy (FL)	Ruppersberger	Thompson (CA)
Nadler	Rush	Thompson (MS)
Napolitano	Ryan (OH)	Tierney
Neal	Sánchez, Linda	Titus
Negrete McLeod	T.	Tonko
Nolan	Sanchez, Loretta	Tsongas
O'Rourke	Sarbanes	Van Hollen
Pascarell	Schakowsky	Vargas
Pastor (AZ)	Schiff	Veasey
Payne	Schneider	Vela
Pelosi	Schrader	Velázquez
Perlmutter	Schwartz	Visclosky
Peters (CA)	Scott (VA)	Walz
Peters (MI)	Scott, David	Wasserman
Peterson	Serrano	Schultz
Pingree (ME)	Sewell (AL)	Waters
Pocan	Shea-Porter	Watt
Polis	Sherman	Waxman
Price (NC)	Sires	Welch
Quigley	Slaughter	Wilson (FL)
Rangel	Smith (WA)	Yarmuth
Richmond	Speier	
Roybal-Allard	Swalwell (CA)	

## NOT VOTING—13

Barletta	Herrera Beutler	Rokita
Bustos	Horsford	Simpson
Campbell	McCarthy (NY)	Tipton
Coble	Owens	
Grimm	Pallone	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1422

Mr. LOEBSACK changed his vote from “present” to “no.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DEPARTMENT OF DEFENSE  
APPROPRIATIONS ACT, 2014

The SPEAKER pro tempore (Mr. NUGENT). Pursuant to House Resolution 312 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. 2397.

Will the gentleman from Illinois (Mr. HULTGREN) kindly take the chair.

□ 1425

## 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. 2397) making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes, with Mr. HULTGREN (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, July 23, 2013, amendment No. 66 printed in House Report 113-170 offered by the gentlewoman from Hawaii (Ms. HANABUSA) had been disposed of.

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on amendments printed in House Report 113-170 on which further proceedings were postponed, in the following order:

Amendment No. 48 by Mr. JONES of North Carolina.

Amendment No. 51 by Mr. LAMALFA of California.

Amendment No. 55 by Mr. MULVANEY of South Carolina.

Amendment No. 60 by Mr. STOCKMAN of Texas.

Amendment No. 62 by Mrs. WALORSKI of Indiana.

Amendment No. 65 by Ms. BONAMICI of Oregon.

The Chair will reduce to 2 minutes the time for each electronic vote in this series.

## AMENDMENT NO. 48 OFFERED BY MR. JONES

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. JONES) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 246, not voting 10, as follows:

[Roll No. 401]

AYES—177

Alexander	Gibbs	Mica
Amash	Gibson	Michaud
Amodei	Gohmert	Miller (MI)
Bass	Gosar	Miller, George
Becerra	Graves (GA)	Moore
Bilirakis	Grayson	Mulvaney
Bishop (NY)	Green, Gene	Nadler
Blumenauer	Griffith (VA)	Napolitano
Bonamici	Grijalva	Neal
Boustany	Gutiérrez	Negrete McLeod
Brady (PA)	Hahn	Neugebauer
Braley (IA)	Hall	Nolan
Broun (GA)	Hanna	Nugent
Buchanan	Harris	O'Rourke
Burgess	Hensarling	Pastor (AZ)
Camp	Higgins	Paulsen
Capuano	Himes	Payne
Cassidy	Hinojosa	Perry
Chabot	Holt	Peterson
Chaffetz	Honda	Petri
Chu	Huelskamp	Pingree (ME)
Ciilline	Hultgren	Pitts
Clarke	Johnson (OH)	Pocan
Clay	Johnson, E. B.	Poe (TX)
Cleaver	Jones	Polis
Coffman	Jordan	Posey
Cohen	Keating	Price (GA)
Cole	Kennedy	Quigley
Collins (GA)	Kirkpatrick	Radel
Conyers	Kuster	Rangel
Courtney	Labrador	Ribble
Cummings	Larson (CT)	Rohrabacher
Daines	Lee (CA)	Ross
Davis (CA)	Lewis	Roybal-Allard
DeFazio	Lipinski	Rush
DeGette	Loeb sack	Ryan (WI)
DeLauro	Lofgren	Salmon
DesJarlais	Lowenthal	Sánchez, Linda
Dingell	Lucas	T.
Doggett	Lummis	Sanchez, Loretta
Doyle	Lynch	Sanford
Duffy	Maffei	Sarbanes
Duncan (TN)	Massie	Scalise
Edwards	Matsui	Schakowsky
Ellison	McClintock	Schrader
Eshoo	McDermott	Scott (VA)
Esty	McGovern	Sensenbrenner
Farenthold	McIntyre	Serrano
Farr	McKinley	Sessions
Gabbard	Meadows	Sherman
Garamendi	Meng	Shimkus
Garrett	Messer	Sinema

Sires  
Slaughter  
Smith (NJ)  
Southernland  
Speier  
Stockman  
Stutzman  
Thompson (CA)

Tierney  
Tonko  
Tsongas  
Upton  
Walden  
Walz  
Waters  
Waxman

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Aderholt	Gowdy	Pascarell
Andrews	Granger	Pearce
Bachmann	Graves (MO)	Pelosi
Bachus	Green, Al	Perlmutter
Barber	Griffin (AR)	Peters (CA)
Barr	Guthrie	Peters (MI)
Barrow (GA)	Hanabusa	Pittenger
Barton	Harper	Pompeo
Beatty	Hartzler	Price (NC)
Benishek	Hastings (FL)	Rahall
Bentivolio	Hastings (WA)	Reed
Bera (CA)	Heck (NV)	Reichert
Bishop (GA)	Heck (WA)	Renacci
Bishop (UT)	Holding	Rice (SC)
Black	Hoyer	Richmond
Blackburn	Hudson	Rigell
Bonner	Huffman	Roby
Brady (TX)	Huizenga (MI)	Roe (TN)
Bridenstine	Hunter	Rogers (AL)
Brooks (AL)	Hurt	Rogers (KY)
Brooks (IN)	Israel	Rogers (MI)
Brown (FL)	Issa	Rooney
Brownley (CA)	Jackson Lee	Ros-Lehtinen
Bucshon	Jeffries	Roskam
Butterfield	Jenkins	Rothfus
Calvert	Johnson (GA)	Royce
Cantor	Johnson, Sam	Ruiz
Capito	Joyce	Runyan
Capps	Kaptur	Ruppersberger
Cardenas	Kelly (IL)	Ryan (OH)
Carney	Kelly (PA)	Schiff
Carson (IN)	Kildee	Schneider
Carter	Kilmer	Schock
Cartwright	Kind	Schwartz
Castor (FL)	King (IA)	Schweikert
Castro (TX)	King (NY)	Scott, Austin
Clyburn	Kingston	Scott, David
Collins (NY)	Kinzinger (IL)	Sewell (AL)
Conaway	Kline	Shea-Porter
Connolly	LaMalfa	Shuster
Cook	Lamborn	Simpson
Cooper	Lance	Smith (MO)
Costa	Langevin	Smith (NE)
Cotton	Lankford	Smith (TX)
Cramer	Larsen (WA)	Smith (WA)
Crawford	Latham	Stewart
Crenshaw	Latta	Stivers
Crowley	Levin	Swalwell (CA)
Cuellar	LoBiondo	Takano
Culberson	Long	Terry
Davis, Danny	Lowe	Thompson (MS)
Davis, Rodney	Luetkemeyer	Thompson (PA)
Delaney	Lujan Grisham	Thornberry
DeBene	(NM)	Tiberi
Denham	Lujan, Ben Ray	Tipton
Dent	(NM)	Titus
DeSantis	Maloney,	Turner
Deutch	Carolyn	Valadao
Diaz-Balart	Maloney, Sean	Van Hollen
Duckworth	Marchant	Vargas
Duncan (SC)	Marino	Veasey
Ellmers	Matheson	Vela
Engel	McCarthy (CA)	Velázquez
Enyart	McCaul	Visclosky
Fattah	McCollum	Wagner
Fincher	McHenry	Walberg
Fitzpatrick	McKeon	Walorski
Fleischmann	McMorris	Wasserman
Fleming	Rodgers	Schultz
Flores	McNerney	Watt
Forbes	Meehan	Weber (TX)
Fortenberry	Meeks	Webster (FL)
Foster	Miller (FL)	Wenstrup
Fox	Miller, Gary	Whitfield
Frankel (FL)	Moran	Williams
Franks (AZ)	Mullin	Wilson (FL)
Frelinghuysen	Murphy (FL)	Wilson (SC)
Fudge	Murphy (PA)	Wittman
Gallego	Noem	Wolf
Garcia	Nunes	Womack
Gardner	Nunnelee	Woodall
Gerlach	Olson	Young (FL)
Gingrey (GA)	Owens	Young (IN)
Goodlatte	Palazzo	