

Hensarling	Meehan	Sarbanes	Horsford	Miller (FL)	Young (FL)
Higgins	Meeks	Scalise	King (IA)	Schock	
Himes	Meng	Schakowsky	McCarthy (NY)	Yoder	
Hinojosa	Messer	Schiff			
Holding	Mica	Schneider			
Honda	Michaud	Schrader			
Hoyer	Miller (MI)	Schwartz			
Hudson	Miller, Gary	Schweikert			
Huelskamp	Moore	Scott (VA)			
Huffman	Mullin	Scott, Austin			
Huizenga (MI)	Mulvaney	Scott, David			
Hultgren	Murphy (FL)	Sensenbrenner			
Hunter	Murphy (PA)	Serrano			
Hurt	Nadler	Sessions			
Israel	Napolitano	Sewell (AL)			
Issa	Neal	Shea-Porter			
Jackson Lee	Negrete McLeod	Sherman			
Jeffries	Neugebauer	Shimkus			
Jenkins	Noem	Shuster			
Johnson (OH)	Nolan	Simpson			
Johnson, Sam	Nugent	Sinema			
Jordan	Nunes	Sires			
Joyce	Nunnelee	Slaughter			
Kaptur	Olson	Smith (MO)			
Keating	Owens	Smith (NE)			
Kelly (IL)	Palazzo	Smith (NJ)			
Kelly (PA)	Pallone	Smith (TX)			
Kennedy	Pascarella	Smith (WA)			
Kildee	Pastor (AZ)	Southerland			
Kilmer	Paulsen	Speier			
Kind	Pearce	Stewart			
King (NY)	Pelosi	Stivers			
Kingston	Perlmutter	Stockman			
Kinzinger (IL)	Perry	Stutzman			
Kirkpatrick	Peters (CA)	Swalwell (CA)			
Kline	Peters (MI)	Takano			
Kuster	Peterson	Terry			
Labrador	Petri	Thompson (CA)			
LaMalfa	Pingree (ME)	Thompson (MS)			
Lamborn	Pittenger	Thompson (PA)			
Lance	Pitts	Thornberry			
Langevin	Pocan	Tiberi			
Lankford	Poe (TX)	Tierney			
Larsen (WA)	Polis	Tipton			
Larson (CT)	Pompeo	Titus			
Latham	Posey	Tonko			
Latta	Price (GA)	Tsongas			
Levin	Quigley	Turner			
Lewis	Radel	Upton			
Lipinski	Rahall	Valadao			
LoBiondo	Rangel	Van Hollen			
Loeback	Reed	Vargas			
Lofgren	Reichert	Veasey			
Long	Renacci	Vela			
Lowenthal	Ribble	Velázquez			
Lowe	Rice (SC)	Wagner			
Lucas	Richmond	Rigell			
Luetkemeyer	Rigell	Walberg			
Lujan Grisham	Roby	Walden			
(NM)	Roe (TN)	Walorski			
Luján, Ben Ray	Rogers (AL)	Walz			
(NM)	Rogers (KY)	Wasserman			
Lummis	Rogers (MI)	Schultz			
Lynch	Rohrabacher	Watt			
Maffei	Rokita	Waxman			
Maloney,	Rooney	Weber (TX)			
Carolyn	Ros-Lehtinen	Webster (FL)			
Maloney, Sean	Roskam	Welch			
Marchant	Ross	Wenstrup			
Marino	Rothfus	Westmoreland			
Matheson	Roybal-Allard	Whitfield			
Matsui	Royce	Williams			
McCarthy (CA)	Ruiz	Wilson (FL)			
McCaul	Runyan	Wilson (SC)			
McClintock	Ruppersberger	Wittman			
McHenry	Rush	Wolf			
McIntyre	Ryan (OH)	Womack			
McKeon	Ryan (WI)	Woodall			
McKinley	Salmon	Yarmuth			
McMorris	Sánchez, Linda	Yoho			
Rodgers	T.	Young (AK)			
McNerney	Sanchez, Loretta	Young (IN)			
Meadows	Sanford				

## NAYS—20

Amash	Jones	Moran
Blumenauer	Lee (CA)	O'Rourke
Carson (IN)	Massie	Payne
Edwards	McCollum	Price (NC)
Ellison	McDermott	Visclosky
Grijalva	McGovern	Waters
Johnson, E. B.	Miller, George	

## ANSWERED "PRESENT"—1

Johnson (GA)

## NOT VOTING—13

Campbell	Conyers	Herrera Beutler
Collins (GA)	Graves (MO)	Holt

□ 1834

Mr. PAYNE changed his vote from "yea" to "nay."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MILLER of Florida. Madam Speaker, due to being unavoidably detained, I missed the following Rollcall Vote: No. 427 on July 31, 2013. If present, I would have voted: Rollcall vote No. 427—H.R. 850, Nuclear Iran Prevention Act, as amended, "aye."

## ENERGY CONSUMERS RELIEF ACT OF 2013

## GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 1582.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 315 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1582.

The Chair appoints the gentlewoman from Florida (Ms. ROS-LEHTINEN) to preside over the Committee of the Whole.

□ 1838

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 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, with Ms. ROS-LEHTINEN in the chair.

The Clerk read the title of the bill.

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

The gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from California (Mr. WAXMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

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

This evening, we will be debating H.R. 1582, the Energy Consumers Relief Act of 2013, authored by the distinguished gentleman from Louisiana (Mr. CASSIDY), a member of the Energy and Commerce Committee.

Madam Chairman, one of the major issues that the American people face today is a slow growth in its economy. Our economy has been sluggish for some time. The last quarter of 2012 and the first quarter of 2013, gross domestic product grew by less than 2 percent. And in the last 15 quarters, the growth of our economy in America has been the slowest since World War II. So we need to do everything in this country to promote economic growth, and this bill looks at the impact of regulations as obstacles to economic growth.

I want to just read a few of the regulations that have been adopted by EPA since January 2009:

Greenhouse gas regulations for cars, and these are EPA numbers. It cost \$52 billion. Greenhouse gas standards for cars 2017–2025, \$144 billion; greenhouse gas standards for trucks, \$8 billion; Utility MACT, \$9.6 billion annually; Boiler MACT, \$2.2 billion annually.

Now, I could go on and on, but I think that that shows that the cost of some of these regulations present serious obstacles to economic growth. So the legislation that we consider tonight is simply a commonsense approach, a way to review the impact of energy-related regulations at the Environmental Protection Agency.

All this legislation does is this:

The Administrator of the Environmental Protection Agency may not promulgate as final an energy-related rule that is estimated to cost more than \$1 billion unless:

One, they make a report to Congress setting out what the regulation does; and

Two, the Secretary of Energy, working with the Federal Energy Regulatory Commission, the Administrator of the Energy Information Administration, the Secretary of Commerce, and the Small Business Administration will look at these regulations and look at the impact on consumer energy cost, the impact on employment, and the impact on economic growth. The Department of Energy certainly has the expertise to analyze these kinds of figures, and if the Secretary determines that it would be harmful to economic growth, then the Secretary can actually stop the regulation from taking effect.

Now, the good news is, at that point, EPA could go back and redo the process. But I can tell you, from my personal experience of working with people in my district who are affected by regulations every day, most people genuinely believe that there's not anything wrong with having other government agencies review the impact of the cost of regulations on the economy, on jobs, on the price of fuel. That's precisely what Dr. CASSIDY's bill does. I think it's a commonsense approach and something that the American people need as additional protections.

With that, I reserve the balance of my time.

Affordable and reliable energy is critical for our basic necessities, from heating or cooling

homes, to transportation and obtaining healthcare. When energy prices rise, it threatens public health because it hurts the poor and disadvantaged disproportionately.

Energy is also critical for a growing economy. When energy prices rise, it can cause job losses that can be devastating to public health.

Given the prolonged weakness in the economy, high unemployment, and rising gasoline and other energy prices, the Nation can ill-afford to be further burdened by billion-dollar energy regulations that destroy jobs and significantly harm the economy.

Today we have an opportunity to help protect families, consumers, and manufacturers from rising energy costs triggered by billion-dollar energy regulations imposed by the Environmental Protection Agency. We can do this by requiring greater transparency and more inter-agency scrutiny of EPA's most expensive energy regulations, and that is why I urge all of my colleagues to support H.R. 1582, the "Energy Consumers Relief Act."

This additional scrutiny of EPA's costs and benefits analysis is warranted. For example, EPA estimated that only 4,700 MW of coal-fired generation would be lost as a result of its Utility MACT rule. Yet, with 2 years left until the 2015 compliance deadline, nearly 44,000 MW of coal-fired generation have already announced retirement.

Further, we received testimony before the Energy and Power Subcommittee that under EPA's formula used to measure job impacts, the more costly the regulation, the greater the job increase EPA's formula will project. The use of such fuzzy math to calculate employment impacts led one economist to conclude, "one cannot characterize the current formula favored by EPA as an economic methodology at all."

It's exactly these types of skewed methodologies and flawed results that H.R. 1582 will help shine a light on. We owe it to the American people to ensure that our federal agencies are not overstating benefits or understating economic impacts to further political agendas.

Such scrutiny will become increasingly critical as EPA and the Administration attempt to justify its forthcoming greenhouse gas regulations on coal-fired power plants with unsound and untested "Social Cost of Carbon" methodology.

With more EPA billion-dollar energy-related rules on the horizon, it is imperative that we understand the impacts of these rules on jobs and the economy before they are implemented.

By passing the "Energy Consumers Relief Act" we have the chance to protect American consumers and businesses from billion-dollar regulations that significantly harm the economy. And I might add that this Act does nothing to affect existing laws and regulations that protect public health and the environment.

I urge all my colleagues to support this bill.

Mr. WAXMAN. Madam Chair, I yield myself such time as I may consume.

This Republican bill is simply a disguised assault on EPA rules that protect human health and the environment. That's why the White House has said that the President would veto this bill—if it got to him.

Last Congress, this House, under Republican leadership—they know how to

dress, but they don't know how to legislate. The Republicans voted over 300 times to roll back environmental laws. Nearly half of these votes were efforts to block EPA rules.

The House voted to block EPA standards for mercury, a serious toxin, and other air pollutants that are similarly poisonous from power plants and incinerators.

□ 1845

The House voted to strip EPA of authority to set water quality standards. The House even voted to overturn EPA's scientific finding that carbon pollution endangers health and the environment.

The problem the Republicans face is that the public doesn't want more air and water pollution. They don't support these attacks on public health standards that protect our kids and our seniors. The public doesn't want to weaken the Clean Air Act or the Clean Water Act or the Safe Drinking Water Act. The public supports our bedrock environmental laws.

So it should come as no surprise that none of these attacks on EPA in the last Congress became law. They all died in the Senate.

Now, House Republicans are trying a new approach: rather than blocking EPA action directly, they want to give another agency veto power over EPA rules.

Under this bill, if the Department of Energy determines that a rule proposed by EPA would cause any "significant adverse effects to the economy," EPA would be blocked from finalizing the rule.

This bill would set a terrible precedent. If we give DOE a veto power over EPA, where do we stop? Are we next going to give the Department of Commerce a veto over the State Department or the IRS a veto over the FDA? This kind of thinking would mean that our government would be so dysfunctional that the whole government would look like the Congress of the United States.

Even if DOE does not veto an EPA rule, the extensive analysis required under the bill could delay EPA rules for years, which means more air pollution, more asthma for our kids, and more danger to our planet.

We have an obligation to our children and future generations to protect our atmosphere while there is still time. We need to be acting faster, not putting on the brakes to benefit the big polluters.

This is a costly bill. The Congressional Budget Office says that the price tag for all the reviews and the reports required under this legislation would be \$35 million over 5 years. This is money that we don't have to spend, especially since the DOE reviews will simply be duplicative of exhaustive analysis already done by the EPA. And while EPA is acting, they can give EPA their point of view.

And consider this point: at the same time that the House Republicans are

telling DOE to undertake exhaustive analysis of EPA rules, they are slashing DOE's budget. DOE could end up with no resources to do these reviews. Existing statutory deadlines for EPA to issue public health standards would be replaced with indefinite delay.

This bill is a recipe for making the Federal agencies dysfunctional. No one should want that.

Let me give you an example of the kind of public health standard this bill is designed to block. During the committee markup, the chairman of the Energy and Power Subcommittee argued that this legislation is needed because he was not satisfied with EPA's analysis of the mercury and air toxics rule. He wasn't satisfied. EPA did a whole analysis. They got the costs; they got the benefits. It was all quantified.

Every year, EPA's standards will help reduce mercury pollution, prevent up to 11,000 premature deaths, and deliver up to \$90 billion in benefits to the Nation. But this individual Member wasn't satisfied. It's a tremendous success story that will deliver up to \$9 of benefits for every \$1 spent. That's what EPA was proposing to do. No Member of Congress, no other department, should stop those kinds of regulations from being put in place.

The fact that this rule is the poster child for the public health rule this legislation is designed to block shows just how misguided this legislation truly is.

This bill is deeply flawed; it is a veiled assault on critical public health and environmental protections. I urge all Members to oppose this latest Republican attempt to gut our Nation's cornerstone environmental laws, which were adopted by bipartisan votes. And now the Republicans in a partisan way are trying to make sure those laws do not work to protect public health and the environment.

Madam Chair, I reserve the balance of my time.

Mr. WHITFIELD. Madam Chair, I might say, with all due respect to my friend from California, that he is exactly correct. I was not satisfied with Utility MACT, but primarily because EPA misled the American people. Publicly they were always talking about the mercury reductions and that the benefits would come from mercury reductions. Yet at the hearing, EPA's own analysis showed that the benefits were not there for mercury reductions; the benefits were there from particulate matter reduction. So I don't see why they deliberately misled the American people on that.

I might just make one other brief comment. We were talking about the money involved by the Department of Energy in implementing this bill. At the end of fiscal year 2012, the Department of Energy had over \$2.36 billion in excess carry-over balances.

At this time, I would like to yield 5 minutes to the gentleman from Louisiana, Dr. CASSIDY, the author of this bill.

Mr. CASSIDY. Madam Chair, I want to thank Chairman UPTON, Chairman WHITFIELD, and their staff for their hard work in preparing this important legislation and bringing it to the House floor, which, by the way, passed the committee with bipartisan support.

Currently, millions of Americans are unemployed or underemployed, millions more have left the labor force entirely, and our economy continues to struggle to recover.

This is particularly true among blue collar workers, blue collar workers who have traditionally been employed in mining, manufacturing, and construction. Those three are related because the mining, the bringing of resources from underneath the ground, fuels literally energy-intensive manufacturing enterprises, which will then go on to make steel, use the steel to construct pipelines, or first make steel pipes, then to construct pipelines. It is an energy-intensive economy that brings good jobs with good benefits to blue collar workers. I have no clue why folks on the other side of the aisle are so hostile to our blue collar workers.

While we have all these millions unemployed, the EPA has been advancing an expansive regulatory assault on the production and distribution of affordable and reliable energy.

Now, by the way, current regulations don't change. That does not roll back anything. This is only about prospective regulations. So if there is a concern about the Clean Water Act and the Clean Air Act, those regulations as they have currently been enforced remain the same. It is just that numerous new regulations have created uncertainty, contributing to an unprecedented number of announced power plant shutdowns, destroying blue collar jobs, increasing energy costs on manufacturers, and raising concern regarding electrical grid reliability.

Although the EPA attributes large public health benefits to billion-dollar regulations, their scientific analysis has been sharply criticized, with one public health expert saying their method of analysis is misleading to public policymakers.

Another, the National Academy of Science, on a formaldehyde rule saying that the conclusions are not justified by the methodology or the research that was presented.

We are using faulty research to justify the destruction of blue collar jobs. I don't know why anybody wouldn't want to be for this, but some are not.

There are concerns that the EPA ignores a significant public health cost associated with energy prices and result in job losses. I'm a doc. I know that when someone loses their job with good benefits and goes on something like Medicaid their health suffers.

There is a researcher, Dr. Till von Wachter, currently an associate professor of economics at UCLA, who testified that job losses can lead to significant reductions in life expectancy of 1 to 1.5 years. This isn't just a par-

ent, the worker; it's their children as well. It is so well documented, and yet folks are just cavalier and casual about the job losses that EPA regulation brings about. When energy becomes expensive or unreliable, public health is threatened, as that research shows.

All we are asking for here is accountability and transparency to determine the full impact of EPA's major energy-related regulations—the impact it will have on jobs, energy prices, and our Nation's economy. If the benefit outweighs the cost, the rule goes forward; but if the cost greatly outweighs the benefit, then let's just stick up for the blue collar worker, her family, let's just stick up for them so maybe they don't have to go on government dependency.

By the way, it is not unprecedented. OMB has previously put a hold on EPA rules, and EPA has the right to put a hold on Army Corps of Engineer rulings. Commonly, agencies are accountable to one another. All we ask is that the EPA will be accountable to the Department of Energy, but, if you will, to the American people.

This rule requires that if the energy rules are appropriately reviewed by the Secretary of Energy, consulting with the other relevant agencies to determine whether the proposed rules will cause significant adverse effects to the economy if this review takes place and it does not outweigh the benefits, then the rule is put on hold. By so doing, the legislation ensures energy cost and economic and job impacts are given appropriate consideration.

It is important to note, again, nothing in the legislation prevents consideration of both cost and benefits in the proposed rule; and an independent and thorough review by Federal departments with expertise in energy and economic analysis is merely a check, merely a call, for EPA to be transparent, which they have not been in the past.

The CHAIR. The time of the gentleman has expired.

Mr. WHITFIELD. Madam Chair, I yield an additional minute to the gentleman from Louisiana.

Mr. CASSIDY. The bill will protect consumers from higher energy prices by providing additional oversight of EPA's most expensive rules that regulate the production, supply, distribution, or use of energy. Most importantly, it protects blue collar jobs from construction by an overzealous bureaucrat who just decides because they have something that they want to do and they don't wish to be transparent about it, it is okay to destroy blue collar jobs.

I urge all Members to support H.R. 1582, the Energy Consumers Relief Act of 2013.

Mr. WAXMAN. Madam Chair, I am pleased at this time to yield 5 minutes to the gentleman from Illinois (Mr. RUSH), the ranking member of the subcommittee from which this bill emerged.

Mr. RUSH. I want to thank the gentleman for yielding.

Madam Chair, I rise today in strong opposition to this horrendous bill, H.R. 1582.

Although this bill is called the Energy Consumers Relief Act, a more appropriate title would be the Shamelessly Blocking Public Health Protections Act.

While the gentleman from Louisiana and the rest of my Republican colleagues may attempt to fool the American people into thinking that this is some kind of a jobs bill, the fact of the matter is, as the Republican leadership admitted on national television a few days ago, the majority party is not interested in working on legislation to address the real problems that American families face, but rather they are more concerned with trying to overturn and undo any and all of the initiatives that the President has already accomplished. Whatever President Obama has done, the Republicans want to undo.

So, Madam Chair, while the majority party proudly wears the label as the leaders of one of the most ineffective, do-nothing Congresses of all times, we are here today yet again spending valuable time debating yet another rhetorical, meaningless message bill that will never ever become law, instead of working on real problems that confront the American people.

□ 1900

Madam Chairman, I am here today to say enough is enough.

Let us get back to the business of governing by working on legislation to put Americans back to work and to get our economy running at full steam once again for the benefit of all the American people. Instead, we are here debating a bill that we know and that my colleagues on the other side of the aisle know is dead on arrival in the Senate due to its radical and extreme positions.

Make no mistake about it, Madam Chairman. This bill is not about making government more open and more accountable to the American people. In fact, the opposite is true. This bill is simply and solely about blocking the EPA from finalizing rules that would make our air and our water cleaner and help avert catastrophic climate change.

This bill has many problems, but its most egregious flaw is that it gives the Department of Energy an unprecedented veto over the most important EPA rules, which are to protect human health and to protect our Nation's environment.

The EPA regulations most likely to be delayed or the most likely to be destroyed by this legislation have tremendous benefits for human health and the environment, including money saved on energy bills and at the gas pump; reductions in the emissions of toxic pollutants, which cause cancer and developmental delays in children;

hospitalizations that will be averted; and the prevention of asthma attacks and premature deaths, all of which provide real benefits to the American people—real people.

The CHAIR. The time of the gentleman has expired.

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

Mr. RUSH. The title of this bill is the Energy Consumers Relief Act, but yet the majority prevented me from offering an amendment that simply stated that the EPA rules could not be blocked if they resulted in consumers saving money at the gas pump. So, if the purpose of this bill were truly to provide relief to consumers, then allowing my amendment would have been, simply, a no-brainer.

Madam Chairman, you can fool some of the people some of the time, but you cannot fool all of the people all of the time. Enough is enough. Let us get back to considering real legislation.

Mr. WHITFIELD. Madam Chairman, I would like to remind everyone once again that this legislation applies only to energy-related regulations that exceed \$1 billion. That's all that it applies to.

At this time, I would like to yield 3 minutes to the distinguished gentleman from Pennsylvania (Mr. ROTHFUS).

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

Mr. ROTHFUS. Madam Chairman, I rise in support of the Energy Consumers Relief Act.

This commonsense legislation will protect workers, families, small businesses, and manufacturers by providing for more rigorous oversight and public disclosure of expensive and job-killing EPA regulations.

Yesterday, President Obama's new EPA Administrator demonstrated how out of touch she was by denying that regulations have an impact on jobs. She is quoted as saying: "Can we stop talking about environmental regulations killing jobs, please, at least for today?"

We'll stop talking about it when they stop robbing us of the jobs that support our communities.

Within the last month, regulations have cost another 300 jobs in western Pennsylvania. The damage wrought by these regulations extends far beyond the individual families affected. They hurt their surrounding communities where these moms and dads live, work, and send their kids to school. They increase the cost of energy, which is a direct cost on families and businesses. It is especially painful for seniors and others who live on fixed incomes.

I urge my colleagues to vote for this legislation that will protect workers, families, and businesses from higher electricity prices, less reliable energy, and more lost jobs.

Mr. WAXMAN. Madam Chair, I am now pleased to yield 3 minutes to the gentleman from New York (Mr. TONKO),

who is the ranking member of the subcommittee called Environment and the Economy.

Mr. TONKO. Thank you, Ranking Member WAXMAN, for the opportunity to share some thoughts on this legislation.

Madam Chair, H.R. 1582 is yet another attempt to block the Environmental Protection Agency from fulfilling its mission, which is to protect public health and our environment.

The bill is premised on the false notion that the protection of public health and the environment comes at the price of jobs. Simply, it does not. H.R. 1582 is not about transparency or fairness. The bill creates a burdensome and duplicative requirement for analysis by the Department of Energy, designed to block EPA from moving forward to address climate change.

The people standing in the way of policy to address climate change are willing to subject us to ever-increasing costs of natural disasters, damaged infrastructure, and the loss of lives and livelihoods.

Why? To preserve our dependence on a fossil fuel-only energy economy.

Proposed regulations are analyzed and reviewed now under multiple laws and multiple executive orders. Rules in the Federal Register consume more page numbers now due to the requirements for additional analyses and documentation under the Paperwork Reduction Act, the Unfunded Mandates Act, the Regulatory Flexibility Act, and multiple executive orders. These additional analyses, studies, and peer reviews have repeatedly shown that EPA's rules are justified and deliver many more benefits to people's health and our environment than costs to business. If and when they do not, either the rule does not go forward or opponents can have their day in court.

H.R. 1582 pits one department against another. The Secretary of the Department of Energy should not have veto power over regulations that EPA is empowered by law to issue. There are ample opportunities for interagency consultation during the rulemaking process. Regulations to improve our air quality and to address other pollution problems have been opposed over the years with the threat that controlling pollution would bankrupt our industries and our economy. That has not happened. We have managed to create a cleaner, healthier environment for our people and have a robust, dynamic recovery. H.R. 1582 is designed to hamstring the EPA and continue to delay action on the looming, serious challenge of climate change.

We can and must do better. We have the innovative capacity to meet these challenges. The only thing lacking is political will—political will to move forward. This Nation did not become great by denying and avoiding challenges. Avoiding this problem will only increase costs and risks across the Nation. I oppose H.R. 1582, and I urge my colleagues to do the same.

Mr. WHITFIELD. Madam Chair, may I ask how much time is remaining.

The CHAIR. The gentleman from Kentucky has 18 minutes remaining, and the gentleman from California has 15 minutes remaining.

Mr. WHITFIELD. I reserve the balance of my time.

Mr. WAXMAN. Madam Chair, I would like to yield 3 minutes to a very important member of our full committee, the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Madam Chair, I rise in strong opposition to this bill.

As far as I am concerned, this is just another attack on the EPA. Some of my colleagues have spent hundreds of hours this session attacking the EPA. May I remind them that Congress set up the EPA to regulate dangerous and toxic substances in order to keep our air and water clean. We must continue to support the EPA in this task. Who would not want clean air and clean water? I think the EPA does a fine job in protecting us.

My district has one of the highest asthma rates in the country. It is one of the reasons that I championed clean energy and have argued for strong EPA rules to help protect our children.

If this bill had been law already, the EPA could have been delayed or blocked from finalizing the Mercury and Air Toxics Standards, which set emissions limits for new coal- and oil-fired power plants for mercury and other toxic air pollutants. Why would anyone want to block the EPA from doing that? The EPA estimates that these new standards will save up to 11,000 lives and prevent 130,000 asthma attacks. That's good enough for me.

There are many, many reasons to continue to support the EPA. This bill, unfortunately, does not do that, so I urge my colleagues to oppose this bill and to support the EPA in a goal we should all share of protecting our air and water.

Mr. WHITFIELD. I continue to reserve the balance of my time.

Mr. WAXMAN. Madam Chair, I only have one more speaker on my side.

May I inquire of the manager of the bill, how about you?

Mr. WHITFIELD. We have no other speakers.

Mr. WAXMAN. So, under those circumstances, I would like to yield myself the balance of my time.

Madam Chair, there was a claim from one of the supporters of this bill that the EPA is using faulty science to justify its rules. In fact, the proponents of this bill are using faulty examples to try to justify this ridiculous bill. For example, the gentleman from Louisiana's chief example of a faulty EPA rule is what he refers to as a "formaldehyde rule." In fact, this isn't a rule. It is a draft scientific assessment that is completely unrelated to the energy-related rules that are the subject of this bill. I do want to point out that pollution control regulations create jobs because they create clean technologies that the whole world wants.

The proponents of this bill claim they are worried about jobs and the unemployed. I think they're crying crocodile tears. The Republicans are for the sequestration, which is costing hundreds of thousands of jobs. They are threatening the U.S. with default. They are against food stamps for people who don't have jobs and who don't have food to eat. Give me a break. They're not trying to save jobs; they're trying to save some of these big polluting industries that have to pay to reduce their pollution.

Now, we've heard that this bill is going to provide more checks and balances because the EPA will then have its rules reviewed by the Department of Energy, but EPA rules go through a very extensive interagency process. Other agencies, including the Department of Energy, can make their views known to the EPA. The Office of Management and Budget already has the ability to have any concerns addressed before they allow EPA rules to go forward. These rules go through months or even years of scrutiny before they are issued, but this bill creates a new, unchecked authority for the Department of Energy to veto public health rules. That's a terrible idea.

Why would we give one agency the unchecked authority to block another agency's rules? There are plenty of checks and balances in the existing law.

□ 1050

Then we hear the argument that this bill is really about transparency because somebody else should be overseeing EPA rulemaking. But, in fact, this bill will do the opposite. The bill creates a duplicative and confused regulatory process for EPA rules. After EPA has done its analysis, they've weighed the risks and the costs and the benefits, they've heard from people who are claiming the costs are too high, they've heard from people claiming the benefits are not enough. Whatever the claims are, they evaluate those claims based on science. And according to the nonpartisan Congressional Budget Office, if we let EPA review all these regulations again from scratch, the taxpayers are going to pay \$35 billion.

The bill gives the Department of Energy an unprecedented veto over EPA public health rules. And you know what? There's no public comment when DOE does that. They don't hear from the public. They'll hear from the industry, but they won't hear from the public. They're not equipped to evaluate the scientific health benefits. They're looking at the costs. It's a skewed DOE analysis. This bill is not about transparency.

We were told this is not over any simple rules; it's only over the expensive ones, regulations that will cost over a billion dollars. A billion dollars over a year? A billion dollars over 10 years? A billion dollars over 20 years? There is no definition of that. They say

a billion dollars. Okay. But that could, then, be used to stop a rule that is far less than what people think it would cost, and, of course, the benefits have to outweigh the cost before the rule can even be issued by EPA.

I want to give a good example of regulations that would be stopped by this legislation. EPA and the Department of Transportation work together on tailpipe standards and fuel efficiency rules for automobiles and other motor vehicles. There are huge benefits. They help consumers save money at the pump. When you have a car that runs on more miles per gallon, you're saving money. We're also protecting the environment because we're not burning as much carbon.

Under the rules, by 2025, Americans will be able to travel twice as far on a gallon of gas, which will save consumers thousands of dollars. But that rule won't go into effect because the DOE now has to get involved. Transportation and EPA are proposing rules over their jurisdiction, over transportation and over air pollution. These rules, which could lead to consumers seeing gasoline at the pump drop by over a dollar a gallon, could be held up.

And even though these rules are all supported by the major auto companies, including Ford, GM, and Chrysler, these rules will cut U.S. emissions and carbon pollution by \$6 billion, but this bill could prevent EPA from adopting new vehicle rules that will save consumers even more money and continue to address the threat of climate change.

This is a very bad bill. It doesn't make sense, and I urge my colleagues to vote against it.

I yield back the balance of my time. Mr. WHITFIELD. Madam Chair, I yield myself the balance of my time.

Once again I want to thank Dr. CASIDY for authoring this bill and bringing it to the House floor.

I would like to remind everyone that EPA has made great strides. We all recognize the improvements that have been made in our air quality, water quality, particulate matter, et cetera. As a matter of fact, carbon dioxide emissions are the lowest that they've been in 20 years here in America. Yet I would say that EPA is not the Holy Grail. The EPA does make mistakes.

I would like to just read a couple of comments from some witnesses who testified over the last year at the Energy and Commerce Committee's Energy and Power Subcommittee. Dr. Peter Valberg, former member of the Harvard School of Public Health, testified that "there are major questions about EPA's forecast of serious health effects caused by small increments in particulate matter levels. EPA's statistical approach is fraught with numerous assumptions and uncertainties."

Dr. Tony Cox of the Colorado School of Public Health testified that "the use of statistical associations to address causal questions about health effects of regulation is not only technically in-

correct, but, as practiced by EPA and others, is also highly misleading to policymakers."

Then Dr. Anne Smith, an economist with NERA Economic Consulting, talked about the uncertainties and the statistical models used by EPA having serious flaws.

All we're saying is at a time when the economy is struggling—particularly now—and when EPA is the most aggressive that it has been in recent memory—as a matter of fact, even though our CO<sub>2</sub> emissions are down to the lowest level in 20 years, America is the only country in the world where you cannot build a new coal-powered plant. All this legislation does is it says if EPA comes up with a new regulation, energy related, that costs over a billion dollars, they've got to make a report to Congress.

Then the Secretary of Energy, working with the Secretary of Commerce and the Small Business Administration and the Energy Information Agency, they will look and they will see what is the impact of this regulation upon the cost of energy, the cost of gasoline, the cost of electricity; what is the impact on causing jobs to be lost or a plant maybe not to be built and a job will be lost or a plant will close. So it's not dictating anything.

It's the Cabinet members of the same administration simply reviewing all of the evidence, doing its own analysis, and then deciding that if it has significant impact on the economy, then they can rule that the regulation will not take effect, at which point the EPA can go back, make some adjustments, and redo it.

I think it's a good piece of legislation that provides additional transparency and additional review of the regulation, the impact on the economy, the impact on jobs, the impact on prices. And what is wrong with that? What is wrong with the Congress getting a report back from the agency and letting the other Department heads in the government review it? That's all this legislation is about.

I urge Members to support this legislation, and I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

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

In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-19. That amendment in the nature of a substitute shall be considered as read.

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

*H.R. 1582*

*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 “Energy Consumers Relief Act of 2013”.

**SEC. 2. PROHIBITION AGAINST FINALIZING CERTAIN ENERGY-RELATED RULES THAT WILL CAUSE SIGNIFICANT ADVERSE EFFECTS TO THE ECONOMY.**

Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency may not promulgate as final an energy-related rule that is estimated to cost more than \$1 billion if the Secretary of Energy determines under section 3(3) that the rule will cause significant adverse effects to the economy.

**SEC. 3. REPORTS AND DETERMINATIONS PRIOR TO PROMULGATING AS FINAL CERTAIN ENERGY-RELATED RULES.**

Before promulgating as final any energy-related rule that is estimated to cost more than \$1 billion:

(1) **REPORT TO CONGRESS.**—The Administrator of the Environmental Protection Agency shall submit to Congress a report (and transmit a copy to the Secretary of Energy) containing—

(A) a copy of the rule;

(B) a concise general statement relating to the rule;

(C) an estimate of the total costs of the rule, including the direct costs and indirect costs of the rule;

(D) an estimate of the total benefits of the rule, an estimate of when such benefits are expected to be realized, and a description of the modeling, the assumptions, and the limitations due to uncertainty, speculation, or lack of information associated with the estimates under this subparagraph;

(E) an estimate of the increases in energy prices, including potential increases in gasoline or electricity prices for consumers, that may result from implementation or enforcement of the rule; and

(F) a detailed description of the employment effects, including potential job losses and shifts in employment, that may result from implementation or enforcement of the rule.

(2) **INITIAL DETERMINATION ON INCREASES AND IMPACTS.**—The Secretary of Energy, in consultation with the Federal Energy Regulatory Commission and the Administrator of the Energy Information Administration, shall prepare an independent analysis to determine whether the rule will cause—

(A) any increase in energy prices for consumers, including low-income households, small businesses, and manufacturers;

(B) any impact on fuel diversity of the Nation’s electricity generation portfolio or on national, regional, or local electric reliability;

(C) any adverse effect on energy supply, distribution, or use due to the economic or technical infeasibility of implementing the rule; or

(D) any other adverse effect on energy supply, distribution, or use (including a shortfall in supply and increased use of foreign supplies).

(3) **SUBSEQUENT DETERMINATION ON ADVERSE EFFECTS TO THE ECONOMY.**—If the Secretary of Energy determines, under paragraph (2), that the rule will cause an increase, impact, or effect described in such paragraph, then the Secretary, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Commerce, the Secretary of Labor, and the Administrator of the Small Business Administration, shall—

(A) determine whether the rule will cause significant adverse effects to the economy, taking into consideration—

(i) the costs and benefits of the rule and limitations in calculating such costs and benefits due to uncertainty, speculation, or lack of information; and

(ii) the positive and negative impacts of the rule on economic indicators, including those related to gross domestic product, unemployment, wages, consumer prices, and business and manufacturing activity; and

(B) publish the results of such determination in the Federal Register.

**SEC. 4. DEFINITIONS.**

In this Act:

(1) The terms “direct costs” and “indirect costs” have the meanings given such terms in chapter 8 of the Environmental Protection Agency’s “Guidelines for Preparing Economic Analyses” dated December 17, 2010.

(2) The term “energy-related rule that is estimated to cost more than \$1 billion” means a rule of the Environmental Protection Agency that—

(A) regulates any aspect of the production, supply, distribution, or use of energy or provides for such regulation by States or other governmental entities; and

(B) is estimated by the Administrator of the Environmental Protection Agency or the Director of the Office of Management and Budget to impose direct costs and indirect costs, in the aggregate, of more than \$1,000,000,000.

(3) The term “rule” has the meaning given to such term in section 551 of title 5, United States Code.

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of House Report 113–174. 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 read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. WAXMAN

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 113–174.

Mr. WAXMAN. Madam Chair, I have an amendment under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, lines 4 through 13, strike section 2.

The CHAIR. Pursuant to House Resolution 315, the gentleman from California (Mr. WAXMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. WAXMAN. Madam Chair and my colleagues and anybody listening to this debate, under this bill, if DOE determines that a rule by the Environmental Protection Agency would cause any significant adverse effects to the economy, EPA would be permanently blocked from finalizing that rule. That’s a pretty broad assault on the rules that EPA might issue because EPA rules are to protect public health and the environment.

So if this bill became law, a lot of clean air and clean water protections would be at risk, and the terms in the bill are so expansive and vague that nearly every major public health proposed rule could be delayed and would be affected because DOE is not going to do this extensive analysis.

My amendment is straightforward. It eliminates the bizarre provision in this bill that gives the Secretary of Energy the unprecedented authority to effectively veto public health rules. It makes no sense for DOE to veto an

EPA public health rule, especially since the veto would be based on DOE’s analysis of the economic impact, which is by its terms a macroeconomic analysis.

What is this going to do to the economy if this rule goes into effect? Did anybody ever think that the DOE does not do that kind of analysis? Perhaps they should have had the Department of the Treasury do a macroeconomic evaluation. They do things like that. But instead, the authors of this bill want DOE to do it. All right. It’s outside of DOE’s area of expertise. This, I think, would be a terrible precedent.

Time and time again, Congress has turned to the EPA to trust the agency with the mission of protecting our air and our water from pollution. The Department of Energy should not have the power to veto the public health protections that Congress required in the Clean Air Act or the Clean Water Act or other bedrock environmental laws. The DOE veto is inconsistent with the stated purpose of this bill because the other side of this bill thinks DOE ought to do an independent analysis. We would concede it: let DOE do an independent analysis, but don’t let it stop the rule from going into effect.

EPA’s analysis, before they issue their proposed regulation, goes through an interagency process, DOE can intervene, the Office of Management and Budget can review it and even hold up the regulation. So let the regulation go forward and let DOE do its additional analysis, but don’t let that analysis lead to paralysis if we’re talking about affecting the public health in this country.

This amendment would stop the veto of an EPA regulation by DOE. It does not stop the Department of Energy from doing its analysis, but it would stop them from—while they’re doing the analysis particularly—holding up a regulation and then leaving it to them exclusively to decide that they’re going to veto the regulation based on a different kind of analysis than one would expect, which is to look at the benefits, to look at the costs, and make sure those benefits are more of a benefit in dollars and cents even. Put a price on life. That’s what we’re talking about. Put a price on a kid’s asthma. That’s what we’re talking about.

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But EPA tries to do that analysis and has to show that its regulation is going to be more economically beneficial than the cost of the regulation. And of course you imagine when they look at costs and benefits, the costs are always overstated. I’ve seen that in all of the years I’ve been here, and I’ve been here for decades. The costs are always overstated by the polluting corporation that doesn’t want to have to take the steps to reduce their pollution.

EPA hears what they have to say, but they do their own analysis of the cost to do the regulation.

So I would urge support for this amendment. Leave the bill if you want



it, but don't give that veto power to DOE.

I yield back the balance of my time.  
Mr. WHITFIELD. Madam Chair, I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. As the gentleman said, his amendment would, in effect, strike the provisions preventing EPA from finalizing rules that the Energy Secretary determined will cause significant adverse effects to the economy, and that's precisely why I respectfully oppose the gentleman's amendment.

All of the debate this afternoon has focused on how EPA is focused totally on health benefits, and health benefits are vitally important. We recognize that.

I think I also pointed out from experts that EPA makes mistakes in their benefit analysis, in their cost analysis when they look at costs. And so once again, what we're trying to do with the Cassidy bill is look at health, yes, but what is the impact on jobs. What is the impact on those families who lose a job because of the regulation? What is the impact on the children of the family who loses the job because of the regulation? What is the effect on their ability to provide the needs for their family, their health insurance, their food, and so forth?

So all we're saying is that the Secretary of Energy in the same Cabinet as the administrator of the EPA would head up an analysis to review the EPA rule that exceeds \$1 billion and affects energy alone. And if they decide that it will have significant adverse impact on the economy, then they can stop it. And by the way, under the legislation, EPA would also have to give a report to Congress on the impact on energy cost, how much will gasoline go up, electricity, how many jobs would be lost, how many jobs would be created.

So when we have a struggling economy, the last thing we want to do is to create additional obstacles that really are not necessary at a time when you can do other things and protect health also.

So with that, I would respectfully oppose the gentleman's amendment and ask that Members vote against the gentleman's amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. WAXMAN).

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

Mr. WAXMAN. Madam Chair, I demand a recorded vote.

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

The Chair understands that amendment No. 2 will not be offered.

AMENDMENT NO. 3 OFFERED BY MR. CONNOLLY

The CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 113-174.

Mr. CONNOLLY. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, line 13, after "effects to the economy," insert "This section shall not apply with respect to any rule that relates to air quality or water quality."

The CHAIR. Pursuant to House Resolution 315, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. I thank the Chair, and at this time I am pleased to yield 2½ minutes to the gentleman from Michigan (Mr. KILDEE), my co-author of this amendment.

Mr. KILDEE. Madam Chair, I thank my friend, Mr. CONNOLLY, for his leadership and for working on this amendment with me.

I represent nearly 100 miles of Great Lakes shoreline. When I ran for Congress, I made a commitment to my constituents in the Fifth District that I would fight every day to create jobs, to strengthen the economy, and to protect our precious water resources. Our amendment would do just that.

In Michigan, we know well the value of clean water since we're surrounded by the largest bodies of surface freshwater on Earth, the Great Lakes. As a kid, I spent many summer weekends with my family at a city campground in East Tawas, a lakefront city that I now have the privilege of representing in Congress.

Our amendment would protect our precious waters from pollution. Without our amendment, today's legislation would put the safety of the Great Lakes, of our lakes and waterways in jeopardy. History has repeatedly taught us what polluters will do if left unregulated. We have seen disastrous oil spills—including the Enbridge oil spill in Michigan—that threatened our State and our Nation's natural resources.

I will not sit idly by and allow the very rules that protect towns like East Tawas, Oscoda, Bay City, Au Gres, and other towns in my district be tossed aside for political expediency.

This bill, as written, would give the Department of Energy unprecedented power to veto EPA rules that protect public health, save lives, and protect the Great Lakes. Our amendment would prevent the DOE from being able to veto rules that regulate air or water quality.

I have heard a lot of discussion about jobs. Michigan's Great Lakes are an economic asset for my State, supporting 1.5 million jobs and pumping over \$62 billion into our economy. These jobs and Michigan's recreational economy depend on clean water for fishing for swimming and for drinking. We must protect them from pollution and harm.

Today's legislation is clearly misguided and fails to provide the nec-

essary tools to protect our Nation's critical natural resources. Republicans in committee have already voted to decrease funding for the Great Lakes Restoration Initiative by almost 80 percent, something that I strongly oppose; and now they want to make it easier for polluters to poison our waters. I will fight these bad proposals every day I am in Congress.

I urge my colleagues to support our commonsense amendment to protect the Great Lakes and protect our natural waterways.

Mr. WHITFIELD. I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. Madam Chair, I would say, first of all, with all due respect, we have no intent to pollute additionally the waterways that the gentleman referred to in Michigan, and I rise to oppose his amendment simply because he would say that this legislation would not apply to any rule that relates to air quality or water quality. So this amendment would exclude virtually all EPA rules from the transparency and inner-agency review requirements of the act.

I would just summarize, once again, we are talking about energy-related rules that exceed \$1 billion. We know that EPA looks closely at health benefits, health impacts; and we certainly favor that. But that's not the only thing that should be examined, and that's what this legislation is about. The Secretary of Energy, with other Cabinet officials in the Obama administration, would look at the impact of the regulation on the cost of electricity, the cost of gasoline, how many jobs might be lost, how many jobs might be created, would it have significant adverse impact to the economy as a whole.

And I would think that everyone would say if it does, particularly with the slow economic growth we have today, the last 15 quarters have been the slowest since World War II, and the last quarter of 2012, the first quarter of 2013, the gross domestic product increased less than 2 percent. So we need to pay special attention to the impact that regulations may have on creating job loss and the impact on those families that lose those jobs, and that's what the gentleman's legislation is all about.

I know the gentleman rose with the very best intentions, but I would respectfully oppose this amendment and ask Members to defeat his amendment.

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

Mr. CONNOLLY. Madam Chair, I rise to join my colleague, Mr. KILDEE from Michigan, in offering what I think is a commonsense amendment that protects public health and safety.

I didn't think it was possible, Madam Chair, but this bill may actually be worse than the anti-regulatory legislation Republicans rammed through the last Congress. The House majority

calls this latest version the Energy Consumers Relief Act, an Orwellian name if there ever was one, deceptively titled as Congress heads for recess, but the title does not reflect reality. This bill more aptly might be called the Blocking Public Health Protections Act.

Shamefully, this is yet another attempt by the majority to gut public health and safety protections so they can give more handouts to big energy producers, many of which of course have financed the majority in this House.

Not only does this bill block or delay the EPA from finalizing rules, Madam Chairman, to reduce pollution that threatens the air we breathe and the water we drink. It also gives unprecedented power, as the distinguished ranking member of the committee pointed out, to the Department of Energy to veto EPA rules—nonsensical and a non sequitur if there ever was one.

We know rules already in place, like the mercury and air toxic standards that effectively regulate carcinogens, neurotoxins, smog and soot pollution, prevent up to 11,000 premature deaths, 47 heart attacks, and 130,000 asthma attacks every year. So I ask my colleagues: Why are we trying to prevent proven protections on public health?

Our amendment will continue to put public health first by ensuring that EPA retains that authority to implement the vital safeguards that protect air and water quality that previous generations in this House on a bipartisan basis believed were necessary and important to protect the public we serve.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

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

Mr. CONNOLLY. Madam Chair, I demand a recorded vote.

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

Mr. WHITFIELD. Madam Chair, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LANKFORD) having assumed the chair, Ms. ROS-LEHTINEN, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 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, had come to no resolution thereon.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair

will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

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#### VIETNAM HUMAN RIGHTS ACT OF 2013

Mr. ROYCE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1897) to promote freedom and democracy in Vietnam.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1897

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

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Vietnam Human Rights Act of 2013”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purpose.

Sec. 3. Prohibition on increased non-humanitarian assistance to the Government of Vietnam.

Sec. 4. United States public diplomacy.

Sec. 5. United Nations Human Rights Council.

Sec. 6. Annual report.

#### SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) The relationship between the United States and the Socialist Republic of Vietnam has grown substantially since the end of the trade embargo in 1994, with annual trade between the two countries reaching nearly \$25,000,000,000 in 2012.

(2) The Government of Vietnam’s transition toward greater economic freedom and trade has not been matched by greater political freedom and substantial improvements in basic human rights for Vietnamese citizens, including freedom of religion, expression, association, and assembly.

(3) The United States Congress agreed to Vietnam becoming an official member of the World Trade Organization in 2006, amidst assurances that the Government of Vietnam was steadily improving its human rights record and would continue to do so.

(4) Vietnam remains a one-party state, ruled and controlled by the Communist Party of Vietnam (CPV), which continues to deny the right of citizens to change their Government.

(5) Although in recent years the National Assembly of Vietnam has played an increasingly active role as a forum for highlighting local concerns, corruption, and inefficiency, the National Assembly remains subject to the direction of the CPV and the CPV maintains control over the selection of candidates in national and local elections.

(6) The Government of Vietnam forbids public challenge to the legitimacy of the one-party state, restricts freedoms of opinion, the press, and association and tightly limits access to the Internet and telecommunication.

(7) Since Vietnam’s accession to the WTO on January 11, 2007, the Government of Vietnam arbitrarily arrested and detained numerous individuals for their peaceful advocacy of religious freedom, democracy, and human rights, including Father Nguyen Van Ly, human rights lawyers Nguyen Van Dai,

Le Thi Cong Nhan, Cu Huy Ha Vu, and Le Cong Dinh, and bloggers Nguyen Van Hai, Ta Phong Tan, and Le Van Son.

(8) The Government of Vietnam continues to detain, imprison, place under house arrest, convict, or otherwise restrict persons for the peaceful expression of dissenting political or religious views.

(9) The Government of Vietnam continues to detain labor leaders and restricts the right to organize independently.

(10) The Government of Vietnam continues to limit the freedom of religion, restrict the operations of independent religious organizations, and persecute believers whose religious activities the Government regards as a potential threat to its monopoly on power.

(11) Despite reported progress in church openings and legal registrations of religious venues, the Government of Vietnam has halted most positive actions since the Department of State lifted the “country of particular concern” (CPC) designation for Vietnam in November 2006.

(12) Unregistered ethnic minority Protestant congregations, particularly Montagnards in the Central and Northwest Highlands, suffer severe abuses because of actions by the Government of Vietnam, which have included forced renunciations of faith, arrest and harassment, the withholding of social programs provided for the general population, confiscation and destruction of property, subjection to severe beatings, and reported deaths.

(13) There has been a pattern of violent responses by the Government to peaceful prayer vigils and demonstrations by Catholics for the return of Government-confiscated church properties. Protesters have been harassed, beaten, and detained and church properties have been destroyed. Catholics also continue to face some restrictions on selection of clergy, the establishment of seminaries and seminary candidates, and individual cases of travel and church registration.

(14) In May 2010 the village of Con Dau, a Catholic parish in Da Nang, faced escalated violence during a funeral procession as police attempted to prohibit a religious burial in the village cemetery; more than 100 villagers were injured, 62 were arrested, five were tortured, and at least three died.

(15) The Unified Buddhist Church of Vietnam (UBCV) suffers persecution as the Government of Vietnam continues to restrict contacts and movement of senior UBCV clergy for refusing to join the state-sponsored Buddhist organization, the Government restricts expression and assembly, and the Government continues to harass and threaten UBCV monks, nuns, and youth leaders.

(16) The Government of Vietnam continues to suppress the activities of other religious adherents, including Cao Dai and Hoa Hao Buddhists who lack official recognition or have chosen not to affiliate with the state-sanctioned groups, including through the use of detention, imprisonment, and strict Government oversight.

(17) Many Montagnards and others are still serving long prison sentences for their involvement in peaceful demonstrations in 2001, 2002, 2004, and 2008. Montagnards continue to face threats, detention, beatings, forced renunciation of faith, property destruction, restricted movement, and reported deaths at the hands of Government officials.

(18) Ethnic minority Hmong in Northern Vietnam, the Northwest Highlands, and the Central Highlands of Vietnam also suffer restrictions, confiscation of property, abuses,