

by short-circuiting the environmental review of nuclear power plants, especially in earthquake fault zones.

Yes, we need energy. Yes, we should have energy from all sorts of power sources, but we should do it safely and not risk Fukushimas galore.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

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

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

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

AMENDMENT NO. 5 OFFERED BY MR. JOHNSON OF GEORGIA

The CHAIR. It is now in order to consider amendment No. 5 printed in part C of House Report 113-374.

Mr. JOHNSON of Georgia. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 32, after line 2, insert the following:

(d) RULE OF CONSTRUCTION.—Nothing in this Act or the amendments made by this Act shall have the effect of changing or limiting any law or regulation that requires or provides for public comment or public participation in an agency decision making process.

The CHAIR. Pursuant to House Resolution 501, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, I thank the Rules Committee for making my amendment in order and urge my colleagues to support my commonsense amendment to protect the right of the public to comment on Federal projects under the NEPA review process.

The purpose of my amendment is simple. It protects the right of the public to comment. This amendment would ensure that H.R. 2641, the so-called RAPID Act of 2013, does not restrict the right of any member of the public to comment on construction projects that may have an environmental impact.

Like the administration and more than 20 well-respected environmental groups, I oppose the RAPID Act. This bill threatens public health and safety by putting a thumb on the scales in favor of private sector businesses in the project approval process.

It is yet another antiregulatory measure whose sole purpose is to grease the wheels of the approval process for projects that are environmentally sensitive.

Aside from creating duplicative and costly regulatory requirements that pertain to only certain types of projects, the RAPID Act would also limit the right of the public to comment on these projects.

The bill does that in two ways: First, by reducing opportunities for public input; and, second, by fast-tracking the approval process through arbitrary deadlines.

The NEPA approval process has protected the environment for more than 20 years, Mr. Chairman, and it is designed to be smart from the start.

Through an open, flexible, and timely process, NEPA empowers the public to weigh in on decisions. That means that the local farmer who owns land that would be affected by a Federal construction project has equal footing as the company that would stand to benefit from that project. My amendment is vital to ensuring that the RAPID Act doesn't shut the public out of this process.

I hope that my colleagues on the other side of the aisle will join me in ensuring that the RAPID Act does not foreclose public participation.

Accordingly, I urge that this committee make my amendment in order, and I yield back the balance of my time.

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

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

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

The RAPID Act will create jobs by ensuring that the Federal environmental review and permitting process works like it should. The RAPID Act is drafted to make agencies operate efficiently and transparently; it does not prevent citizens from participating in this process.

In fact, the bill makes sure that agencies provide the public with reasonable public comment periods. It authorizes up to 60 days of public comment on Environmental Impact Statements, up to 30 days of comment on environmental assessments and other documents, and grants the lead agency authority to negotiate extensions or provide them on its own for good cause.

This is more than fair. By comparison, the National Environmental Policy Act, or NEPA, regulations only require agencies to allow 45 days for public comment on draft Environmental Impact Statements and 30 days for public comments on final Environmental Impact Statements.

The RAPID Act also reasonably requires that a person comment on an environmental document before challenging it in court, and bring any suit within 6 months, as opposed to 6 years. Opponents should not be able to delay a project indefinitely by playing hide-the-ball with agencies or by resting on their rights.

I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR (Mr. WEBSTER of Florida). The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

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

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

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

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

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. WEBSTER of Florida, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2641) to provide for improved coordination of agency actions in the preparation and adoption of environmental documents for permitting determinations, and for other purposes, had come to no resolution thereon.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Ms. FUDGE. Mr. Speaker, I have a resolution at the desk previously noticed under rule IX.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Whereas on March 5, 2014, during a hearing before the House Committee on Oversight and Government Reform, Committee Chairman Darrell E. Issa gave a statement and then posed ten questions to former Internal Revenue Service official Lois Lerner, who stated that she was invoking her Fifth Amendment right not to testify;

Whereas the Committee's Ranking Member, Rep. Elijah E. Cummings, clearly sought recognition to take his turn for questions under Committee and House Rules;

Whereas, Chairman Issa then quickly adjourned the hearing and refused to allow him to make any statement or ask any questions;

Whereas Ranking Member Cummings protested immediately, stating: "Mr. Chairman, you cannot run a Committee like this. You just cannot do this. This is, we are better than that as a country, we are better than that as a Committee."

Whereas, Chairman Issa then returned and allowed Ranking Member Cummings to begin his statement, but when it became clear that Chairman Issa did not want to hear what Ranking Member Cummings was saying, turned off Ranking Member Cummings' microphone, ordered Republican staff to "close it down," and repeatedly signaled to end the hearing with his hand across his neck;

Whereas Ranking Member Cummings objected again, stating: "You cannot have a one-sided investigation. There is absolutely something wrong with that";

Whereas Chairman Issa made a statement of his own and posed questions during the hearing, but refused to allow other members of the Committee, and in particular the Ranking Member who had sought recognition, to make statements under the five-minute rule in violation of House Rule XI;

Whereas Chairman Issa instructed the microphones to be turned off and adjourned the hearing without a vote or a unanimous consent agreement in violation of Rule XVI because he did not want to permit Ranking Member Cummings to speak;

Whereas Chairman Issa's abusive behavior on March 5 is part of a continuing pattern in which he has routinely excluded members of the Committee from investigative meetings, and has routinely provided information to the press before sharing it with Committee members;

Whereas Chairman Issa has violated Clause 1 of Rule XXIII of the Code of Official Conduct which states that "A Member, Delegate, Resident Commissioner, officer or employee of the House shall behave at all times in a manner that shall reflect creditably on the House": Now, therefore, be it

Resolved, That the House of Representatives strongly condemns the offensive and disrespectful manner in which Chairman Darrell E. Issa conducted the hearing of the House Committee on Oversight and Government Reform on March 5, 2014, during which he turned off the microphones of the Ranking Member while he was speaking and adjourned the hearing without a vote or a unanimous consent agreement.

The SPEAKER pro tempore. The resolution qualifies.

Mr. CANTOR. Mr. Speaker, I move to lay the resolution on the table.

The SPEAKER pro tempore. The question is on the motion to lay the resolution on the table.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—"ayes" 211, "noes" 186, answered "present" 10, "not voting" 23, as follows:

[Roll No. 107]

YEAS—211

Aderholt	Daines	Harper
Amash	Davis, Rodney	Harris
Amodel	Denham	Hartzer
Bachmann	DeSantis	Heck (NV)
Barletta	DesJarlais	Hensarling
Barr	Diaz-Balart	Herrera Beutler
Barton	Duffy	Holding
Benishak	Duncan (SC)	Hudson
Bentivolio	Duncan (TN)	Huelskamp
Bilirakis	Ellmers	Huizenga (MI)
Bishop (UT)	Farenthold	Hultgren
Black	Fincher	Hunter
Blackburn	Fitzpatrick	Hurt
Boustany	Fleischmann	Jenkins
Brady (TX)	Fleming	Johnson (OH)
Bridenstine	Flores	Jordan
Brooks (AL)	Forbes	Joyce
Broun (GA)	Fortenberry	Kelly (PA)
Buchanan	Fox	King (IA)
Bucshon	Franks (AZ)	King (NY)
Burgess	Frelinghuysen	Kingston
Byrne	Gardner	Kinzinger (IL)
Calvert	Garrett	Kline
Camp	Gerlach	Labrador
Campbell	Gibbs	LaMalfa
Cantor	Gibson	Lamborn
Capito	Gingrey (GA)	Lance
Carter	Gohmert	Lankford
Cassidy	Goodlatte	Latham
Chabot	Granger	Latta
Coffman	Graves (GA)	LoBiondo
Cole	Graves (MO)	Long
Collins (GA)	Griffin (AR)	Lucas
Cook	Griffith (VA)	Luetkemeyer
Cotton	Grimm	Lummis
Cramer	Guthrie	Marchant
Crenshaw	Hall	Marino
Culberson	Hanna	Massie

McAllister	Reichert	Southerland
McCarthy (CA)	Renacci	Stewart
McCauley	Ribble	Stivers
McClintock	Rice (SC)	Stockman
McKeon	Rigell	Stutzman
McKinley	Rokita	Terry
McMorris	Roe (TN)	Thompson (PA)
Rodgers	Rogers (AL)	Thornberry
Meadows	Rogers (KY)	Tiberi
Mica	Rogers (MI)	Tipton
Miller (FL)	Rohrabacher	Turner
Miller (MI)	Rokita	Upton
Miller, Gary	Ros-Lehtinen	Valadao
Mullin	Roskam	Wagner
Mulvaney	Ross	Walberg
Murphy (PA)	Rothfus	Walden
Neugebauer	Royce	Walorski
Noem	Runyan	Weber (TX)
Nugent	Ryan (WI)	Webster (FL)
Nunes	Salmon	Wenstrup
Nunnelee	Sanford	Westmoreland
Palazzo	Scalise	Whitfield
Paulsen	Schock	Williams
Pearce	Schweikert	Wilson (SC)
Perry	Scott, Austin	Wittman
Petri	Sensenbrenner	Wolf
Pittenger	Sessions	Womack
Pitts	Shimkus	Woodall
Poe (TX)	Shuster	Yoder
Pompeo	Simpson	Yoho
Posey	Smith (MO)	Young (AK)
Price (GA)	Smith (NJ)	Young (IN)
Reed	Smith (TX)	

NAYS—186

Barber	Grayson	Neal
Barrow (GA)	Grijalva	Nolan
Bass	Gutiérrez	O'Rourke
Beatty	Hahn	Owens
Becerra	Hanabusa	Pallone
Bera (CA)	Hastings (FL)	Pascarella
Bishop (GA)	Heck (WA)	Payne
Bishop (NY)	Higgins	Pelosi
Blumenauer	Himes	Perlmutter
Bonamici	Holt	Peters (CA)
Brady (PA)	Honda	Peters (MI)
Braley (IA)	Horsford	Peterson
Brown (FL)	Hoyer	Pingree (ME)
Brownley (CA)	Huffman	Pocan
Bustos	Israel	Polis
Butterfield	Jackson Lee	Price (NC)
Capps	Jeffries	Quigley
Cárdenas	Johnson (GA)	Rahall
Carney	Johnson, E. B.	Rangel
Carson (IN)	Kaptur	Richmond
Cartwright	Keating	Roybal-Allard
Castor (FL)	Kelly (IL)	Ruiz
Castro (TX)	Kennedy	Ruppersberger
Chu	Kildee	Rush
Cicilline	Kilmer	Ryan (OH)
Clark (MA)	Kind	Sanchez, Loretta
Clay	Kirkpatrick	Sarbanes
Cleaver	Kuster	Schakowsky
Clyburn	Langevin	Schiff
Cohen	Larsen (WA)	Schrader
Connolly	Larson (CT)	Scott (VA)
Conyers	Lee (CA)	Scott, David
Cooper	Levin	Serrano
Costa	Lewis	Sewell (AL)
Courtney	Lipinski	Shea-Porter
Crowley	Loebach	Sherman
Cuellar	Lofgren	Sinema
Cummings	Lowenthal	Sires
Davis (CA)	Lowe	Slaughter
Davis, Danny	Lujan Grisham	Smith (WA)
DeFazio	(NM)	Speier
DeGette	Luján, Ben Ray	Swalwell (CA)
Delaney	(NM)	Takano
DeLauro	Lynch	Thompson (CA)
DelBene	Maffei	Thompson (MS)
Dingell	Maloney,	Tierney
Doggett	Carolyn	Titus
Doyle	Maloney, Sean	Tonko
Duckworth	Matheson	Tsongas
Edwards	Matsui	Van Hollen
Ellison	McCollum	Veasey
Engel	McDermott	Vela
Enyart	McGovern	Velázquez
Eshoo	McIntyre	Visclosky
Esty	McNerney	Walz
Farr	Meeks	Wasserman
Fattah	Meng	Schultz
Foster	Michaud	Waters
Frankel (FL)	Miller, George	Waxman
Fudge	Moore	Welch
Gabbard	Moran	Wilson (FL)
Gallego	Murphy (FL)	Yarmuth
Garamendi	Nadler	
Garcia	Napolitano	

ANSWERED "PRESENT"—10

Brooks (IN)	Dent	Meehan
Capuano	Deutch	Sánchez, Linda
Clarke (NY)	Gowdy	T.
Conaway	Issa	

NOT VOTING—23

Bachus	Hastings (WA)	Olson
Chaffetz	Hinojosa	Pastor (AZ)
Coble	Johnson, Sam	Rooney
Collins (NY)	Jones	Schneider
Crawford	McCarthy (NY)	Schwartz
Gosar	McHenry	Smith (NE)
Green, Al	Messer	Vargas
Green, Gene	Negrete McLeod	

□1408

Messrs. CARNEY and SCHRADER changed their vote from "yea" to "nay."

Messrs. NUNES, MULVANEY, PEARCE, DUNCAN of South Carolina, HARRIS, MEADOWS, GINGREY of Georgia, MILLER of Florida, Mrs. HARTZLER, Messrs. MCKINLEY, CRAMER, BRADY of Texas, WALDEN, McALLISTER, DUFFY, and AUSTIN SCOTT of Georgia changed their vote from "nay" to "yea."

Mmes. LINDA T. SÁNCHEZ of California, CLARKE of New York, Messrs. CAPUANO and DEUTCH changed their vote from "nay" to "present."

Messrs. CONAWAY, GOWDY, DENT, Mrs. BROOKS of Indiana, and Mr. MEEHAN changed their vote from "yea" to "present."

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SMITH of Nebraska. Mr. Speaker, on rollcall No. 107, had I been present, I would have voted "yes."

RESPONSIBLY AND PROFESSIONALLY INVIGORATING DEVELOPMENT ACT OF 2013

The SPEAKER pro tempore. Pursuant to House Resolution 501 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. 2641.

Will the gentlewoman from Florida (Ms. ROS-LEHTINEN) kindly take the chair.

□ 1410

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. 2641) to provide for improved coordination of agency actions in the preparation and adoption of environmental documents for permitting determinations, and for other purposes, with Ms. ROS-LEHTINEN (Acting CHAIR) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 5 printed in part C of House Report 113-374, offered by the gentleman from Georgia (Mr. JOHNSON), had been postponed.