Let's end the moments of silence on the floor and have, instead, votes on the floor to end gun violence.

DOMESTIC VIOLENCE AWARENESS MONTH

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today to recognize October as Domestic Violence Awareness Month.

Violence against women is not a partisan problem. It is an American problem. So it demands a bipartisan solution.

As a father, son, and husband, to me, this issue is about protecting families, plain and simple. Unfortunately, debate in Washington is often dominated by the same tired politics, divisive rhetoric, and by the misguided notion that some issues are just too tough to take on.

We can't allow this gridlock to stop us from working to ensure that every woman feels safe and every child lives free from fear.

That is why I helped introduce the Zero Tolerance for Domestic Abusers Act. This bill is a commonsense solution to bring Federal law in line with over 30 States that already have protections in place to keep guns out of the hands of abusers, to protect families, and to curb domestic abuse by preventing domestic violence from becoming domestic murder.

Together, we can make our country safer, which is why I encourage my colleagues to join me on this important legislation, supporting safety and security for all Americans.

HONORING DOLORES HUERTA FOR A LIFETIME OF SERVICE AND THE 85TH ANNIVERSARY OF HER BIRTH

(Mr. MCNERNEY asked and was given permission to address the House for 1 minute.)

Mr. MCNERNEY. Mr. Speaker, I rise during this Hispanic Heritage Month to ask my colleagues to join me in recognizing Dolores Huerta for a lifetime of service and honor her on the 85th anniversary of her birth.

Living in Stockton, California, she witnessed the unjust exploitation and suffering of migrant workers. Refusing to stay silent in the face of brutal working conditions, Dolores joined Cesar Chavez to co-found what is now United Farm Workers, the leading advocacy voice for the migrant community.

Dolores' actions were essential to pass the 1975 California Agricultural Labor Relations Act. Her tenacity is captured in the resonating chant, ''Si, Se Puede'' that still gives voice to today's civil rights movement.

In 2012, Dolores received the distinguished Presidential Medal of Freedom. She continues to organize communities to fight for social justice as president of the Dolores Huerta Foundation.

For her lifetime of service, I ask my colleagues to join me in honoring Dolores Huerta.

LIFTING THE CRUDE OIL BAN

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 702, to lift the outdated ban on U.S. crude oil exports.

This 40-year-old ban was enacted during the time of oil scarcity in the 1970s in an effort to preserve domestic oil reserves and discharge foreign imports. Today the ban is driving up the price at the pump while discouraging American energy independence.

The United States is now the largest oil producer in the world, producing more barrels per day than Saudi Arabia or Russia, but we cannot take full advantage of this strength without the ability to export crude oil as the boom in domestic oil production has surpassed the ability for our domestic refiners to process crude oil for export.

The ban on crude oil exports was created in reaction to market conditions at the time. These conditions no longer exist. While the President is opening up oil markets for Iran with a nuclear agreement, U.S. oil producers should have the same access to the global market.

It is time to lift the ban on crude oil exports. I urge my colleagues to support lifting the crude oil ban.

HONORING THE LATE ALMA BEATTY OF NEWARK

(Mr. PAYNE asked and was given permission to address the House for 1 minute.)

Mr. PAYNE. Mr. Speaker, I rise today to honor Ms. Alma Beatty, a longtime vice president of Community Affairs at Newark Beth Israel Medical Center who passed away earlier this year.

Ms. Beatty was born in Newark, New Jersey, and became one of the city's most beloved citizens through her 45 years of service at ''The Beth.''

Under Ms. Beatty's leadership, ''The Beth'' became a model of excellence in protecting the most vulnerable among us. Thanks to her vision, ''The Beth'' instituted a number of community service programs that continue to this day, including Adopt a Child Christmas Program.

Last month, I had the honor of participating in a ceremony to change the name of Newark's Osborne Terrace to ''Alma Beatty Way.'' It is a fitting recognition to Ms. Beatty's contributions to the city of Newark, the county of Essex, the State of New Jersey, and the United States of America.

To Ms. Beatty's family I send my thoughts and prayers and continued love for the work that she has done in our community.

RECOGNIZING JERRY HARTZ FOR HIS OUTSTANDING SERVICE TO THE CONGRESS

(Ms. PELOSI asked and was given permission to address the House for 1 minute.)

Ms. PELOSI. Mr. Speaker, today I rise to celebrate the leadership of a consummate civil servant, a skilled strategist and an astute adviser for his outstanding service to the Congress for the better of three decades, a proud son of Iowa who is deeply dedicated to our country, to advancing the Democratic agenda on the House floor, and to strengthening our democracy, an exemplary professional whom I have had the privilege to have on my staff for the past 13 years. I speak of—respected on both sides of the aisle—Jerry Hartz.

Jerry is a master of House rules and parliamentary procedure. Over the years, Jerry has managed influential and consequential debates on the House floor. He played a vital role in advancing our Democratic efforts to improve the lives of Americans by moving forward vital legislation.

We simply could not have done without you, Jerry.

On the most challenging and critical legislative issues of our day, Jerry consistently exhibited the wisdom, the creativity, and the fairness needed to improve our world.

Though we will miss his experience and his expertise, I am proud that Jerry will continue to contribute shaping our Nation at the National Democratic Institute.

Thank you to Jerry's wife, Jennifer, who is with us today, and their daughters, Alicia and Evelyn, for sharing Jerry with us all these years.

Earlier this morning we had a huge number of Members of Congress come pay their respects to Jerry and to Jennifer, a large number of staff from both sides of the aisle who recognize Jerry's sense of fairness.

Thank you, Jerry, for your long and excellent service to the Democratic Caucus, to this House, and the United States Congress and, in doing so, to the United States of America. Thank you for your patriotism and your leadership.

□ 1315

PROVIDING FOR CONSIDERATION OF H.R. 538, NATIVE AMERICAN ENERGY ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 702, ADAPTATION TO CHANGING CRUDE OIL MARKETS

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 466 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 466

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant

to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 538) to facilitate the development of energy on Indian lands by reducing Federal regulations that impede tribal development of Indian lands, 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 Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-30. 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 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 amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 702) to adapt to changing crude oil market conditions. 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 amendments specified in this section 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 114-29. 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. The gentleman from Florida is recognized for 1 hour.

Mr. BYRNE. 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. BYRNE. 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 Alabama?

There was no objection.

Mr. BYRNE. Mr. Speaker, H. Res. 466 provides for consideration of H.R. 538, the Native American Energy Act, and H.R. 702, which would repeal the ban on exporting crude oil. H. Res. 466 calls for a structured rule which makes in order 12 total amendments, including 7 minority amendments and 2 bipartisan amendments. Both of these bills deal with easing the regulatory burden when it comes to the energy sector.

Being from coastal Alabama, I have a great appreciation for the impact the energy sector has on our economy, and I am a strong supporter of an all-of-the-above approach to energy production. Unfortunately, Washington has a bad habit of putting up costly barriers that make it harder for the energy sector to grow and create new jobs. Today is about getting some of these barriers out of the way and unlocking our Nation's energy potential. One of the bills, the Native American Energy Act, would roll back the overregulation of Indian lands and encourage energy development by Indian tribes and Alaska Native Corporations.

From streamlining duplicative Federal processes to increasing tribal control over natural resource development, this bill includes important reforms to unlock the precious energy resources on tribal land and to allow these tribes to take more control of their energy assets. In fact, a 2015 report from the Government Accountability Office found that ''Indian energy resources hold significant potential for development, but remain largely undeveloped.''

Mr. Speaker, they remain largely undeveloped because the Federal Government is standing in the way. This has resulted in lost revenue for Indian tribes, and it is time we fix this problem.

This commonsense legislation has strong support from tribes across the Nation, including the Southern Ute Indian Tribe, the Confederated Tribes of the Colville Reservation, the Intertribal Timber Council, the Navaho Nation, Three Affiliated Tribes of the Fort Berthold Reservation in North Dakota, and the National Congress of American Indians. It is time the Federal Government gets out of the way and allows tribal nations to manage their land how they see fit, without the heavy hand of government getting in the way.

The second bill covered by this rule would end the outdated ban on crude oil exports. The ban was first put in place in 1975 as a response to the Arab oil embargo, but it is clearly no longer necessary, and it is tying our hands both economically and strategically around the world.

Over the last decade, the United States has become the leading producer of oil and natural gas in the world, which is good news for the countless Americans who work in the oil industry, and it is even better news for the American economy.

Mr. Speaker, there is broad, bipartisan support for lifting the 40-year-old ban on crude oil exports. Leading economists, including former Obama economic policy adviser Lawrence Summers, and leading scholars at Harvard University support lifting the ban. Former U.N. Ambassador and Energy Secretary under President Clinton Bill Richardson said that the U.S. needs to export our oil and gas in order to ''help us geopolitically in Eastern Europe against Russia.''

Recently, 135 senior legislative leaders from 40 States and Puerto Rico sent a letter calling on Congress to lift the ban. The letter notes that ''the outdated Federal export restrictions on crude oil and LNG are detrimental to American workers, our collective security, and economic recovery in our States.'' There were three signers of the letter from Mr. HASTINGS' home State of Florida.

Numerous editorial boards around the country, including those at The Wall Street Journal, The Washington Post, The Detroit News, The Denver Post, The Washington Times, and the Houston Chronicle have touted the benefits of ending the ban.

Most notably, 69 percent of American people support lifting this ban. Shouldn't we stand with the American people?

Now, Mr. Speaker, let's talk about some of the benefits from lifting the outdated ban.

First, it is estimated that this legislation would create 630,000 additional U.S. jobs by 2019. Lifting the ban would also benefit U.S. manufacturers and boost our GDP.

Second, the Congressional Budget Office estimates that lifting the ban would generate $1.4 billion from oil and gas leases over the next 10 years. That is really a significant number.

Third, the Government Accountability Office found that lifting the ban would lower gas prices by anywhere from 1.5 to 13 cents per gallon. Even President Obama's own Department of Energy found that increased oil exports would help lower gas prices.

Fourth, lifting the ban will allow the United States to help our allies abroad. For example, Russia has continuously used their control over oil to pressure European countries to comply with Russia's wishes. If a country refused, Russia would threaten to cut off their energy supply. By lifting the ban, the United States can begin supporting our allies and, in turn, weaken Russia's grip on many European countries.

Mr. Speaker, it is very interesting that this administration has worked hard to open up oil export capabilities for Iran, yet they are refusing to allow the United States to do so. By allowing Iran to export oil, the President has essentially given the Ayatollah a leg up in the global marketplace, placing the strategic interests of Iran over those of the United States. This is yet another example of the President of the United States standing with the people of Iran and the Ayatollah and not standing up for the people of America. These are four very clear benefits for repealing the ban and unlocking our Nation's energy potential.

Now, the White House has said they believe lifting the oil export ban is a decision that should be made by the Commerce Department, not by Congress. So let me get this straight: The Obama administration would rather unelected, unaccountable Federal bureaucrats at the Department of Commerce make this decision instead of the democratically elected Congress? I think that speaks to a far larger problem with this White House and how they believe our government should work.

Ultimately, Mr. Speaker, both of these bills are about empowering the American people and getting the government out of the way. These bills both have broad support, and I urge my colleagues to approve this rule. Let's move forward on passing these commonsense bills.

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

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

Mr. Speaker, I thank the gentleman from Alabama for yielding me the customary 30 minutes for debate.

Mr. Speaker, this rule provides for consideration of both H.R. 702, legislation to adapt to the changing crude oil market conditions, and H.R. 538, the Native American Energy Act.

As we have seen time and again in what can only be described as typical Republican fashion, we have again skirted regular order. As a matter of fact, whatever happened to regular order in this institution? It seems to have gone by the boards. Here we are considering two unrelated pieces of legislation under one grab-bag rule.

What is more, instead of striving to roll back environmental protections, we should be working in a bipartisan manner to avoid a government shutdown in December, address the debt ceiling, pass a long-term transportation bill so that we can rebuild our crumbling infrastructure and put Americans back to work, and reauthorize the Export-Import Bank, the charter of which Republicans allowed to expire 100 days ago.

Mr. Speaker, the 1973 oil embargo sparked a crisis in our country that continues to influence our energy policies today. H.R. 702, the first of the bills we are debating today, makes significant changes to the Energy Policy and Conservation Act, the primary statute for restricting the export of domestically produced crude oil that was enacted in the wake of the embargo.

It goes without saying that the energy situation in the United States is far different today than it was in the 1970s when the oil export ban began. Global crude oil prices fell to 6½-year lows in August. We have such a surplus of oil that the number of rigs drilling for oil in the United States dropped to 614 last week, down from 1,609 last October. Based on these facts, it would behoove us to reexamine this export ban.

□ 1330

But, Mr. Speaker, H.R. 702 unwisely repeals the authority of the President to restrict the export of petroleum products or natural gas and prohibits any Federal official from imposing or enforcing restrictions on the export of crude oil.

Last night in the Rules Committee I asked the question whether President Obama deserves any credit for the lower gas prices. Certainly, when gas prices were higher, he received an awful lot of criticism and blame. It would seem to me that, with the increased number of leases that he has allowed, he should get some credit at least.

Moreover, the bill makes it virtually impossible to limit exports of coal, natural gas, petroleum products, and petrochemical feedstocks. Repealing this authority would eliminate our ability to restrict the export of any of these products.

Lifting this ban would provide a gift to oil companies on top of the decades of lucrative subsidies the industry already receives by the American taxpayers. Enough is enough.

I would also note that the term—and I brought it up in the Rules Committee last night and didn't get a clear answer—the term ''restriction'' is undefined. Let me quote my good friend FRANK PALLONE of New Jersey, the ranking member of the Committee on Energy and Commerce.

He said: Since the term ''restriction'' is undefined, any Federal action that could potentially impede the efficient exploration, production, storage, supply, marketing, pricing, and regulation of energy resources—including fossil fuels—could be considered a restriction.

For instance, an order to shut down a pipeline that has been determined to be a hazard to public safety and the environment under the Pipeline Safety Act could be seen as a restriction.

Mr. Speaker, H.R. 538 suffers from similar deficiencies. H.R. 538 has the stated purpose of empowering Native American tribes to utilize and develop energy resources on their lands.

I hesitate because I don't understand what part of sovereignty with reference to Native Americans in this country we do not understand; therefore, they should not have to be here hat in hand about their own resources.

But tribal lands often hold great potential for domestic energy production; yet, tribes often cannot harness the full economic development potential of their natural resources. But this bill tries to solve this problem by undercutting important environmental protections.

In the name of encouraging energy production on tribal lands, this bill severely restricts public involvement and comment on proposed energy projects, prevents the recovery of attorneys' fees in cases challenging these new energy projects, effectively chilling the public's ability to bring bona fide claims to seek judicial redress for environmental harms in their community.

And just for good measure, this legislation blocks any commonsense hydraulic fracturing rules. Instead of undermining the bedrock of our Nation's vital environmental protections, we should focus on real, constructive reforms that will achieve tribal self-determination in energy development without sacrificing commonsense environmental laws.

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

Mr. BYRNE. Mr. Speaker, I yield 2 minutes to the esteemed gentleman from Montana (Mr. ZINKE).

Mr. ZINKE. Mr. Speaker, I rise in support of H.R. 538, the Native American Energy Act.

Mr. YOUNG, my esteemed colleague from Alaska, I commend him on his efforts over the years. This represents a significant step for tribes across the country, especially in my State of Montana.

I have only been in the seat for a few months, and I can tell you that the Federal Government has infringed on the sovereignty of our tribes to develop their own natural resources.

What is sovereignty? Sovereignty is not going through a labyrinth of rules that are far greater than other Federal

lands or State lands. It is not right. It is not right for the Crow people. It is not right for every Indian nation across this land.

The government has infringed. The GAO report examines it and states as much. The Crow tribe, a proud tribe in Montana, wants to be self-sufficient. They want to make sure that they have a prosperous economy and do right by their people; yet, the chairman, Old Coyote, has said a war on coal is a war on the Crow people. And he is right.

There is no better job on the Crow reservation than a coal job. There is no better future than to have access to the 9 billion tons of coal that are locked in the ground that they can't develop and they can't develop in the interest of their own people because the Federal Government is in the way.

This bill doesn't skirt environmental rules or laws. What it does is it streamlines a position, streamlines their sovereignty and their rights, and that is important.

So, Mr. Speaker, my colleagues, this is not a Democrat or a Republican issue. This is an American issue, and it is about respect.

I ask all Members to respect the native tribes, respect their right to sovereignty, respect their right for self-determination.

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

Background checks are the first line of defense to keep guns out of the hands of criminals. If we defeat the previous question, I am going to offer an amendment to the rule to bring up legislation that would expand the current background check system to include all commercial sales of firearms.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment 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. Mr. Speaker, I am very pleased to yield 5 minutes to the gentleman from California (Mr. THOMPSON), my good friend, to discuss our proposal. He is the chair of the House Gun Violence Prevention Task Force.

Mr. THOMPSON of California. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to the rule today and in support of bringing the bipartisan King-Thompson background check bill to the floor for a vote.

Let me give you some numbers: 278, the number of mass shootings in our country since Newtown; 275, the number of days this Congress has been in session; 16, the number of gun-related moments of silence Congress has held since the start of last year; and 0, the number of votes this body has taken to help prevent or lessen gun violence.

Just a week ago we endured another mass shooting. This time it was nine people at a community college in Oregon. Six weeks ago it was a news reporter and cameraman in Virginia. Five weeks before that it was two people at the movies in Lafayette. Five weeks before that it was a prayer group in Charleston.

Every single time a mass shooting happens we go through the same routine—thoughts and prayers are sent; statements are made; stories are written; moments of silence are held—and nothing changes. No action is taken. No votes are cast.

It has been said that insanity is doing the same thing over and over again and expecting different results. The majority leadership has done nothing over and over again. Predictably, the results have been the same: more innocent lives lost, more families forever changed, and more mass gun violence.

The five Republican coauthors of our background check bill notwithstanding, my colleagues on the other side of the aisle have done nothing as mass gun violence has become commonplace. No bills have been brought to the floor. No ideas have been brought to the table. No proposals have even been considered.

You have the majority in the House and in the Senate. You have a White House and a Democratic Caucus willing to work with you. You are presumably here to govern and lead. A big part of that means stepping up when children, students, and families are routinely put in danger.

Gun violence takes the lives of 30-plus Americans every single day. It constitutes a public health emergency that demands action from the public's leaders. We have it in our power to do something. Let's not waste that.

We don't know what laws could have prevented the shooting in Oregon or Virginia or Charleston, but we do know that every day background checks stop more than 170 felons, some 50 domestic abusers, and nearly 20 fugitives from buying a gun. We know they help keep guns from dangerous people, and that saves lives.

This isn't about the Second Amendment. I am a hunter and I am a gun owner. I support the Second Amendment. If the King-Thompson background check bill undermined the rights of gun owners, my name wouldn't be on it.

This is about keeping guns from criminals, domestic abusers, and the dangerously mentally ill. It is about taking a simple, commonsense step to keep spouses, kids, and communities safe.

All this bill does is require a background check for people buying a gun online or at a gun show. Why would anyone not want to make sure the people buying guns on the Internet or at a gun show are sane, law-abiding citizens? We do it at licensed dealers, why not for all commercial sales? Why do we want to give criminals, domestic abusers, and the dangerously mentally ill a huge loophole through which they can buy guns? It makes no sense.

We can do one of two things here today. We can wait out the new cycle, allow the horror of Oregon to fade into our minds, do nothing, wait for the next tragedy, and then offer thoughts and prayers. That would be nothing new.

It is what the majority did with Newtown. It is what they did with Navy Yard. It is what they did with Isla Vista, Charleston, and Virginia. This time could be different. We could actually pull together and do something to make our country safer.

No legislation will stop every shooting. But passing commonsense gun laws like background checks will at least stop some, and that makes it worth doing. Don't sit here and let America's new normal become mass gun violence followed by thoughts and prayers, but no action. We are here to govern. This is happening on our watch, and it is within our power to save some lives. Let's do it.

Mr. BYRNE. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Louisiana (Mr. BOUSTANY), who is a tireless advocate for the energy interests of his State of Louisiana.

Mr. BOUSTANY. Mr. Speaker, let's look at the facts. I support this rule and I support the underlying legislation, H.R. 702, which would lift the ban on oil exports for this country.

The United States is the only oil-producing country that has a self-imposed ban, and it makes no sense. It doesn't fit within our own views of open trade, open energy markets.

Why did this come about? It came about because in the 1970s we moved into an age of scarcity with regard to energy. Our producers could not keep up with demand.

American innovation, American technology, has solved that. Now we have moved into an era of abundance. This is a time where we can actually change the entire landscape of energy security not only for the United States, but also for our allies, and reap major economic benefit by lifting the ban.

When we came out of the recession, energy jobs helped lift us out of that recession. The shale revolution was a major factor. What we are seeing now with slack demand and the abundance and a lot of oil sitting that is not being used in refineries has caused slacking in prices and job loss.

We can reverse that by lifting the ban and giving American producers access to the market, just like everybody else that produces oil. Why should the Iranians be able to sell oil on the open market and we have a self-imposed ban on American energy producers? It makes no sense at all.

Secondly, if we lift the ban, this is a first and necessary step, I believe, in building out a whole new energy strategy for the United States that leads to an American view, an American imprint, on energy security, not a Russian and not an OPEC view of this.

Why? Because we embrace open markets, we embrace diversity of sources, we embrace transparency and pricing. That is what we want. Lifting the ban is that first step.

□ 1345

Thirdly, if we couple this with building out more pipelines that help us integrate the Mexican energy market and the Canadian, the North American area can clearly take care of all of our domestic demands collectively and have plenty to export.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BYRNE. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. BOUSTANY. Mr. Speaker, this will then move us in a position of dominating energy strategy globally, putting OPEC and Russia on the defense. They cannot keep up with American energy producers. They don't have the innovation; they don't have the technology; and they are running budget deficits that are harmful to their countries. They will have to change, and we will dominate the energy sector.

Further, if we integrate this with our trade policies, we then start to eliminate the abusive practices that national oil companies perpetrate and put American open-market companies, multinational companies, back in the driver's seat. But we also help American producers and producers in my home State of Louisiana, small companies that are suppliers, small companies that provide the services: the boat companies, the maritime companies that help facilitate all of this.

This is about job creation. This is about American energy production; it is about American energy security; and it is about having leverage in our foreign policy. That is why I support this first step of lifting this ban on crude exports.

Mr. HASTINGS. Mr. Speaker, before yielding, I would like to speak very briefly about process, because a lot of times people don't understand that the base bill that we are discussing today, the two rules, the process allows the minority an opportunity to present a motion. One is a motion to recommit. One of the parts of that process that we are discussing here today has to do with gun violence. Mr. THOMPSON, who just spoke about it eloquently, I add to what he had to say.

Here in Washington, D.C., in the last 6 days, five people have been killed by guns. In Chicago and in my hometown and around this Nation, in addition to the mass killings, there have been a number of killings.

David Satcher was Surgeon General of the United States from 1998 to 2002. In the year of 2000, he was the first person that I know that raised publicly the fact that we have a gun violence epidemic in this country. There were people that wanted to run him out of office because of that. We need to pay attention.

For the purpose of discussing this further, I yield 2 minutes to the gentlewoman from Connecticut (Ms. ESTY), someone who has had a real experience with gun violence.

Ms. ESTY. Mr. Speaker, I rise in opposition to the rule and in support of the opportunity to vote for commonsense, bipartisan gun violence prevention legislation.

Mr. Speaker, I represent Newtown, Connecticut; and on December 14, 2012, almost 3 years ago, 20 precious children and 6 dedicated educators were ripped from us by gun violence.

After Newtown, America said ''never again.'' But just 2 days ago, we observed another moment of silence in this House, this time for the community of Roseburg, Oregon.

As with every other mass shooting since Newtown, families and first responders in my district are retraumatized. In fact, by my count, we have held 16 moments of silence on the House floor to honor those Americans taken from us by gun violence since the tragedy at Sandy Hook. Sixteen times we in this House have come together and bowed our heads in silence and then refused to do anything substantial to prevent gun violence.

Mr. Speaker, we can and we must do better. We must be allowed a vote on the bipartisan bill that will close background check loopholes and save lives.

Ninety percent of Americans support background checks. Background checks keep guns out of the hands of dangerous people. That is why every gun purchase should be allowed only after a successful background check.

We are not dealing with a natural disaster. This is not an earthquake. This crisis is manmade, and it is up to us to take action to save lives.

The time has passed for moments of silence. We need hours of action. I urge all my colleagues on both sides of the aisle to vote today to bring the bipartisan background check to the House floor.

Mr. BYRNE. Mr. Speaker, I think what the gentleman from Florida said at the beginning was inaccurate. He said that we brought two things together in this rule that are not related to one another. They are. They are both related to energy production in this country, and that is what the rule is about.

Now, I am standing here today as the grandson of a man who was shot and killed by someone who was mentally ill in 1920. I know the importance of that issue. I know what it means to families who have been victimized by it. There may be a day and a time for us to have this debate, but it is not today.

Today, we are talking about the energy security of our country. Today, we are here to talk about freeing up the American economy and freeing up domestic producers so that they can sell their product abroad, as we are now going to allow Iran to sell their product abroad. I would like for us to get back to the debate on energy. That is what we are here today about.

I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, the gentleman doesn't have the prerogative of what the minority has, and that is an opportunity to offer a motion to recommit.

He is correct that there are two bills that are being brought here in this grab-bag rule, but if he says that today is not the day for us to discuss gun violence, then I want to ask him: What day is it that we are supposed to discuss gun violence? People are being killed all over this Nation, and we have an epidemic, and we are constantly not doing anything about it. If it is not today, when? And if it is not us, who?

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. NAPOLITANO), my distinguished colleague and good friend.

Mrs. NAPOLITANO. Mr. Speaker, I would like to say I agree with my colleague. If not now, when? We have been asking that for many, many generations.

Because of the mass shootings, American families are demanding Congress to act. They want action, but Congress has not heard any bills. They refuse to hear them. There is nothing. There is no opportunity to have the light of day or to have some transparency to it.

The last meaningful gun violence prevention bill was in 1994, and that was the Brady Handgun Violence Prevention Act.

Shootings, as was pointed out, are now an everyday occurrence. It is commonplace, so people are becoming numb, except for those who are immediately affected and are asking us to move and pass legislation, give it the light of day, discuss it, bring it up, start some methodology to be able to understand what this House is looking at doing for our American people, for our children, and for our families.

Now, collective action, we need it. Transparent discussion is necessary and much needed. Enough of skirting this issue. What is more important, gas and oil or the lives of human beings?

Keep guns away from people that should not have them and/or would use them to harm others.

H.R. 1217 mandates universal background checks for all purchases. It is a step in the right direction. It would move our country forward in beginning the process of addressing this epidemic that we are facing.

We need real, constructive legislation. We need to prevent and lessen violence. We must keep guns out of the hands of people who should not have access to them, such as the dangerously mentally ill. Now, domestic abusers and people with violent histories also should not have access to them, and they currently do.

Now, without stigmatizing those with mental illness because then you have a problem on your hands, we need to inform, educate, and help young people, families, and educators. We need to help those who are exhibiting emotional disturbances and help them

learn how to access information and assistance.

Mr. BYRNE. Mr. Speaker, I yield 2 minutes to the gentleman from North Dakota (Mr. CRAMER).

Mr. CRAMER. Mr. Speaker, I don't want to disrespect in any way the minority's opportunity that they have, but I did come here to talk about the energy bills.

I chose to go last on this side because I would like to address some of the thoughtful concerns that were raised by Mr. HASTINGS from Florida. I call them concerns because I didn't hear real objections. I think they are legitimate concerns that some people have had, and they deserve discussion. We are talking about the rule here.

He made a suggestion that somehow this lifting of the oil export ban bill, H.R. 702, takes the President's prerogative away to deal with a situation at all costs or in every situation. The reality is it does reserve a right for the President to reinstate the ban in some sort of an emergency. I want to make sure that that is clarified.

I also want to clarify that he mentioned we are not in regular order, and perhaps he is referring to the Native American Energy Act. I know we have had a couple of hearings since I have been in Congress on that, perhaps not this Congress. I don't know. I am not on that committee.

I can tell you that the Energy and Commerce Committee has had a hearing on H.R. 702, and two other committees have had hearings on similar bills: the Agriculture Committee and the Foreign Affairs Committee. So this has been a thoroughly vetted issue. In fact, with the admonition of Speaker BOEHNER, we really did take a long time with this issue to help educate one another, those of us from energy States. So I do think we have had a thorough debate on the topic, and I think it is time to have this discussion.

Coming from North Dakota, I just want to tell you that I come from a State that, prior to the energy revolution, or the Bakken revolution, the shale revolution, we were experiencing outmigration and low personal per capita income. Today, we have the second highest personal per capita income in the country. We can't accept people fast enough to deal with the jobs that are available. We are at a bit of a standstill right now because we are overproducing light sweet crude in this country, which is the type of crude that the global markets are demanding, but our domestic markets, because of our refining capacity, are not.

This is the time to lift this ban, and this is the body to do it. I hope we can get to it this afternoon.

Mr. HASTINGS. Mr. Speaker, before yielding, I would like to correct myself.

When I spoke, I spoke about the minority's right for a motion to recommit, which indeed we do have; but in this particular instance, it is the minority's right to offer up the previous question, and that is what we are proceeding under.

Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE), a gentleman I have known a very long time in this institution and care greatly about, a very thoughtful Member.

Mr. PRICE of North Carolina. Mr. Speaker, I rise in opposition to the rule and in protest to the Republican leadership's failure to bring commonsense legislation to the floor to stem our Nation's tide of gun violence.

In the wake of seemingly endless mass shootings, Americans of all backgrounds and diverse political beliefs are urging elected officials to stop merely wringing our hands and actually do something that protects our communities.

One measure that has virtually unanimous support is background checks to keep guns out of the hands of criminals, domestic abusers, and the dangerously mentally ill. The problem is that our current background check system is rife with loopholes: background checks are not required at gun shows; they are also not required when individuals purchase weapons online.

The bipartisan King-Thompson background checks bill would close these egregious loopholes. It is an entirely sensible reform that would have a measurable impact on the safety of our schools and neighborhoods without preventing law-abiding citizens from using guns for self-defense or for recreational purposes.

I wholeheartedly reject the defeatist notion that we cannot do anything about our Nation's gun violence. I ask my colleagues: How much longer must we wait? How many more people have to die to get our attention? How many more American towns and cities must be added to the growing list of places like Columbine, Aurora, Charleston, and Newtown?

In the last 3 years, we have had some 20 moments of silence here on the House floor to honor victims of gun violence in the United States. Moments of silence are not enough. Thoughts and prayers are not enough. We need action, and I call on my colleagues to bring the background checks bill to the floor for a vote and to do it now.

□ 1400

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

Mr. HASTINGS. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. PERLMUTTER), my good friend and a former member of the Committee on Rules.

Mr. PERLMUTTER. Mr. Speaker, 3 years ago I was here for a moment of silence on behalf of the 12 killed and the 70 injured in the Aurora movie theater. Since that time, we have had at least 55 mass shootings where four or more people were killed and we have had at least 22 moments of silence.

How many more senseless acts of violence and hatred must occur before we stand up and take action? How many more young, bright lives are going to be cut short because of loopholes in the law? How many more times must we stand on this floor in moments of silence, solemnly remembering another victim? How many more times must the flags be lowered at half staff in honor of servicemembers gunned down in their own backyard?

As important as these moments of reflection are, they happen with such regularity, we become numb to their significance. When will this violence end? Why is it we are paralyzed by the very laws that are meant to protect us?

It is incumbent upon us, as Members of Congress, to act and protect our citizens from unnecessary gun violence. I appreciated the gentleman from Alabama mentioning the violence that his own family has experienced.

It is time for a dialogue in the spirit of civility and compassion, bringing all Americans together to have a discussion about peace and safety in our schools, churches, and community centers. We have to begin. We can do this. It requires courage, but we can act to reduce this violence by passing meaningful gun violence prevention legislation that respects the Second Amendment.

Last week I joined 147 other Members of this body in writing to the Speaker, demanding action on gun violence prevention legislation. We demand a vote. Action is needed. I urge the defeat of the rule.

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

Mr. HASTINGS. Mr. Speaker, would you be so kind as to advise how much time is remaining on both sides.

The SPEAKER pro tempore. The gentleman from Florida has 8 minutes remaining. The gentleman from Alabama has 15 minutes remaining.

Mr. HASTINGS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from New York (Mr. TONKO), a good friend of mine. He is the ranking member of the Energy and Commerce Subcommittee on Environment and the Economy.

Mr. TONKO. Mr. Speaker, I oppose the rule, and in particular I oppose H.R. 702. Apparently, we have learned nothing over the past 40 years because this bill asks that we forget about oil shortages, oil recessions, and painfully high energy bills.

Do we really believe that the days of $100 per barrel of oil are gone? Do we really believe that our military will never again be called upon to keep vital oil trade routes or production areas open? I wish that were true, but I doubt it.

Until we reduce our dependence on oil, we should retain control over our domestic oil resources. Our Nation is not energy independent. We still use a great deal of oil and other petroleum products.

Our transportation sector is still extremely vulnerable to price increases, whether we are talking about certainly

individual drivers, certainly our airlines or freight companies.

Our manufacturing sector is vulnerable, also. China may now be the largest importer of oil, but we are still the world's largest consumer of oil. This policy is not just about whether we open up trade on another commodity. It is a matter of national security and economic security. It is in our national interest that we can and do export crude oil and refined petroleum products now.

When we export refined products, we gain the extra benefit of jobs in the refining industry as well as those in oil production. This bill eliminates Presidential authority to restrict trade in crude oil.

It allows decisions about oil exports to be made by the oil companies, and they put a higher value on their profits than on our national security, our United States consumers, or our environment.

The oil companies see this window of low global oil prices as the opportunity to lift the ban on crude exports. The advocates for this policy point to the current slowdown in new drilling activity as evidence that our export policy is eliminating jobs in oil production.

The fact remains that oil is a global commodity and the global market price for a barrel of oil is no better than the price here in the United States. When oil is under $50 per barrel, wells that are marginal or with higher costs will be capped until the price rises. That situation will not change by exporting to any already oversupplied global market.

But what happens when Asia's demand for oil increases, as it surely will, and the global price again climbs into the $100 per barrel range? That is an excellent opportunity to sell as much as possible on the global market, a windfall for the oil companies and an economic downturn for us.

This policy change benefits a few of the wealthiest companies on this planet. There is no benefit for consumers. We will put our national security at risk, and certainly jobs and infrastructure in the refining industry and other industries as well will be hurt.

Exports of oil, in fact, and any of our strategically important resources should be in our national interest. Big Oil gets more than their share of subsidy from the United States' taxpayers. They do not need this additional windfall, and consumers and taxpayers cannot—simply cannot—afford to provide it.

I urge you to reject this rule and to oppose H.R. 702.

Mr. BYRNE. Mr. Speaker, I was listening to the gentleman talk, and he was talking about how this might have a negative impact on American consumers with regard to gas prices. I would remind the House that even President Obama's own Department of Energy found that increased oil exports would help lower gas prices.

The gentleman also mentioned what this might do to the security of the United States. A member of President Clinton's Cabinet has said this will enhance the security of the United States by strengthening our hand in Central and Eastern Europe.

I have listened to the gentleman. I respect his views, but I must say that I think the evidence that comes to us from Democratic administrations proves that what he said is really not accurate.

Mr. Speaker, we have no additional speakers. So if the gentleman is prepared to close, he may do so. I reserve the balance of my time.

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

My Republican friends argue that these bills will encourage growth and investment in our Nation's energy markets, local communities, and economy and are, therefore, important measures that we must address even as we face a highway trust fund that will become insolvent in a matter of weeks as well as another looming government shutdown in December.

All the while, those same individuals refuse to authorize the Export-Import Bank's charter, an entity that has created and sustained 1.5 million American jobs since 2007 at no cost to the taxpayer.

Passing a responsible budget, delivering on a long-term transportation bill, and reauthorizing the Ex-Im Bank will encourage the growth and investment that my friends speak of. The time to deliver on our promises to the American people is long overdue.

I call on House Republicans to stop wasting our time with legislation that rolls back long-held environmental protections—and stand almost certain veto threats—and take up the important measures that I mentioned.

In closing, Mr. Speaker, I want to return to this notion of the previous question with reference to gun violence.

I believe in the Second Amendment. I own a gun. When I was a child, at age 7, I had a Red Ryder BB gun. When I was 12, I had a single-shot .22 rifle. I believe in every citizen's right to own a gun, and I believe my colleagues here on this side believe the same thing.

If every man, woman, and child is accounted for in the estimate of guns that are in this country, that would be more than 330 million. There are some people in our society who believe that somebody is going to come and take their guns. I wonder who that person would be.

Would it be a President of the United States? Would it be the military? Are they going to go and take the guns from their moms, their brothers, their sons, their fathers? That is foolish.

We need to stop this madness. Doing nothing in the face of all of this epidemic violence that we are experiencing allows that not only is this House dysfunctional in many of its particulars, but it is frozen in its indifference to the gun violence in this country.

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

Mr. BYRNE. Mr. Speaker, I yield myself such time as I may consume.

American technology is a marvel in the world. We Americans figure out how to solve problems by using technology.

Just a few years ago we were struggling with how we were going to get enough energy into this country from other places, and now, because of the changes to the American people, we figured out the technologies it takes to be able to exploit energy resources right here.

It is almost like a miracle. We get to become energy independent where we won't have to get energy from other places. In fact, we found so much energy that we are in a position where we can export it and benefit our economy and people in America with more jobs.

Now, I have got to tell you something: I am proud to be American for a lot of reasons, but there is a great reason right there.

Our ingenuity solved this problem and created opportunities that we couldn't have dreamt of, but the Federal Government is standing in the way. We can't fully do what we need to do here.

There are many things in the way, but we are trying to deal with just two of them today. One of them is the limitations we put on the sovereign tribal nations that my friend from Florida so eloquently spoke about.

We put limitations on them and their ability to develop energy resources on their land. It is their land. Let them develop it. There are a couple good things from that. One of them is all of us in America get the benefit from that. As we develop any part of our energy sector, it benefits all of us.

Secondly, it benefits those people in those tribal nations. They are not asking for the Federal Government to give them something. They are asking for the Federal Government to get out of the way so they can do something for themselves. I think we ought to celebrate that in America and give them that opportunity.

The second bill removes a decades-old ban on oil exports. I am old enough to remember the 1970s. I remember waiting in a gas line and not being able to get gas, but that was then with the technology we had then, not now with the technology and the proven reserves we have now.

I don't want to shoulder my children with limitations based upon technology or technological understanding we had when I was their age. As they tell me all the time: Daddy, we have moved on. We have moved on in a very positive way in this particular aspect.

So it is time to get the dead hand of the past off of our energy industry so it can start doing the things it has so miraculously proven that it can do.

I urge everybody in this House to support this rule. I urge everybody in this House to support both of these underlying bills.

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

AN AMENDMENT TO H. RES. 466 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. 1217) to protect Second Amendment rights, ensure that all individuals who should be prohibited from buying a firearm are listed in the National Instant Criminal Background Check System, and provide a responsible and consistent background check process. 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 among and controlled by the chair and ranking minority member of the Committee on the Judiciary and the chair and ranking minority member of the Committee on Veterans' Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1217.

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

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

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

Mr. HASTINGS. 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 244, nays 183, not voting 7, as follows:

[Roll No. 541]

YEAS—244

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—183

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
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)
Lawrence

Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—7

Cleaver
Connolly
Dingell
Hudson
Sinema
Vela
Wilson (SC)

□ 1442

Mr. RIGELL changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. WILSON of South Carolina was allowed to speak out of order.)

MOMENT OF SILENCE FOR THE VICTIMS OF THE SOUTH CAROLINA FLOOD

Mr. WILSON of South Carolina. Mr. Speaker, fellow Members of Congress, the people of South Carolina have faced an unprecedented, catastrophic weather event, also known as a 1,000-year rain, exceeding 20 inches virtually overnight, causing flooding and widespread damage. We are grateful for your thoughts and prayers.

The flooding and rain destroyed homes and roads, collapsed bridges, and broke dams across the State; 400 roads and bridges are still closed. Tragically, to date, the flooding has claimed the lives of nearly 20 citizens across the Carolinas. We ask for your thoughts and prayers for their families.

We are grateful for the strength of the people of South Carolina, led by Governor Nikki Haley and Adjutant General Bob Livingston.

We are inspired by people like Aaron and Amy Dupree, with their four small children, who were rescued by boat from their home in Columbia's Lake Katherine community by their neighbor, Brian Boyer.

You will hear stories of incredible acts of volunteerism, like Kassy Alia, the widow of Forest Acres Police Officer Greg Alia who was murdered last week, leaving her and their 5-month-old son, Sal. Despite her grief, she joined others in distributing food to those in need.

Wherever you go, you will find heroes like these and hear about the service of the first responders, emergency personnel, officials, and State employees who have worked tirelessly to aid our community.

We appreciate that Homeland Security Secretary Jeh Johnson will lead a fact-finding delegation with members of our delegation to our State tomorrow.

I yield to the gentleman from South Carolina (Mr. CLYBURN). If he is not available, I just want to thank him for his service. We look forward to being on the delegation with him tomorrow.

God bless South Carolina, and I ask my colleagues to stand and join me in a moment of silence.

The SPEAKER pro tempore. Members will rise for a moment of silence.

Without objection, 5-minute voting will continue.

There was no objection.

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. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 244, noes 185, not voting 5, as follows:

[Roll No. 542]

AYES—244

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—185

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
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)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—5

Cleaver	Gibson	Sinema
Dingell	Hudson	

□ 1456

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.

NATIVE AMERICAN ENERGY ACT

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill H.R. 538.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 466 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. 538.

The Chair appoints the gentleman from North Carolina (Mr. ROUZER) to preside over the Committee of the Whole.

□ 1458

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. 538) to facilitate the development of energy on Indian lands by reducing Federal regulations that impede tribal development of Indian lands, and for other purposes, with Mr. ROUZER 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 Alaska (Mr. YOUNG) and the gentleman from Arizona (Mr. GRIJALVA) each will control 30 minutes.

The Chair recognizes the gentleman from Alaska.

□ 1500

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

H.R. 538 has been in the works for several years. This is not a bill that came out of nowhere. Its provisions are the result of oversight hearings and consultation with Indian tribes and Alaska Native Corporations. The bill streamlines Federal permitting for, and increases tribal control over, energy and other natural resource development on Indian lands. It gives tribes options to perform or waive appraisals of their lands and prohibits the Interior Department's hydraulic fracturing from applying to Indian lands without the consent of the tribe.

It also contains provisions to streamline judicial review and deter frivolous lawsuits concerning Federal permitting for Native American energy projects. The judicial review provisions are crucial for Alaska Natives, whose ability to develop their land claims settlement lands has been abused by special interest groups filing lawsuits.

The bill also authorizes a pilot project for the Navajo Nation to handle mineral leasing of its trust lands if Interior approves its tribal leasing program.

Finally, Mr. Chairman, H.R. 538 promotes tribal forest stewardship contracting on Federal lands adjacent to Indian reservation land to provide a full supply of biomass energy for the tribes.

This summer, the GAO issued a report called ''Indian Energy Development—Poor Management by BIA Has Hindered Energy Department on Indian Lands.'' Here a couple of the highlights:

''The BIA does not have comprehensive data to identify ownership and resources available for development, does not have a documented process or data to track and monitor its review and response times, and some offices do not have the skills or adequate staff resources to effectively review energy-related documents.''

''In 2012, Interior's inspector general found that weaknesses in BIA's management of oil and gas resources contributed to a general preference by industry to acquire oil and gas leases on non-Indian lands over Indian lands.''

This is a jobs bill. It provides energy for America, and more than that, it takes care of the tribal community that has been blessed with resources. In some Indian reservations, where unemployment rates are 50 percent, energy jobs are the only high-wage, private sector jobs available for members. These energy jobs dollars go a long way in supporting families.

The Native American Energy Act is strongly supported by a broad array of Native organizations as well as the U.S. Chamber of Commerce, specifically, the National Congress of American Indians, the Affiliated Tribes of Northwest Indians, the Intertribal Timber Council, Navajo Nation, Southern Ute Indian Tribe, Confederated Tribes of the Colville Reservation, Three Affiliated Tribes of the Fort Berthold Reservation, and the Ute Tribe of Utah.

I am a little bit surprised that the White House has issued a statement against this bill. Really, it is not anything new. I always listen to this administration's ''all of the above but none of the below'' as far as energy goes. In other words, the administration promotes only wind and solar, while opposing oil, gas, and coal on Nations' lands—Nations' lands.

In the Dakotas, it takes 15 permits on tribal lands and 2 off of tribal lands. That is a disgrace, and I suggest, with 56 million acres of land, there ought to be the ability to be self-determined, be the first Americans, with the ability to take and produce energy, and help their tribal members out.

Those that oppose this, it is the same old story: don't get too smart; we will give you a side of beef and a blanket. Don't let us help ourselves, let the government tell you what to do.

This is a good piece of legislation. This did not come from me. This came from the Native tribes themselves. It is an example, as we have trust authority, we should let them control their own destiny.

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

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

Mr. Chairman, frankly, we are still not addressing the most pressing needs in Indian Country. Six years later, the Carcieri decision still has not been fixed, despite much lipservice that has been given to it from the majority.

Our colleague Mr. COLE and our colleague Ms. MCCOLLUM both have legislation, bipartisan legislation, that would deal with that immediately. We should call that up. We should have a hearing, and we should deal with this decision that has left so much doubt and confusion in Indian Country.

Sacred sites are in need of identification and protection rather than midnight riders attached to unrelated legislation that violates tribal sacred site protections, as has happened already. Lack of funding from this body coupled with sequestration has left Indian health and education really with no relief in site.

Yes, barriers to energy development on Indian land are among the most pressing needs, both as an economic driver for tribes and for the energy needs of the United States. But this bill does not address the real energy needs on tribal lands, and while we are wasting time on it, these other, and even more pressing needs, just continue to grow more urgent.

The legislation claims to facilitate energy development, but, instead, it short-circuits the review process set up by the National Environmental Policy Act, NEPA, and limits judicial review of development decisions. Instead of helping tribes develop energy resources on their lands, this approach will lead to less environmental protection on Indian lands and less judicial recourse to those affected.

These proposals are not new. We have seen and debated them before as part of the failed Republican energy bills last Congress, and here they are again. The legislation would amend NEPA, one of the Nation's bedrock environmental laws, to limit review of and comment on proposed projects to members of the affected Indian tribe and other individuals residing within an undetermined affected area. This limitation severely restricts public involvement in proposed Federal projects that may affect the environment, a central tenet of NEPA.

Arbitrarily limiting such review and comment would prevent even other Indian tribes with cultural ties in the so-