

the authority limited of the Privacy and Civil Liberties Oversight Board. It is a bill that we all should consider.

**PROVIDING FOR CONSIDERATION OF H.R. 8, NORTH AMERICAN ENERGY SECURITY AND INFRASTRUCTURE ACT OF 2015; PROVIDING FOR CONSIDERATION OF S.J. RES. 23, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY; AND PROVIDING FOR CONSIDERATION OF S.J. RES. 24, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY**

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 539 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 539

*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. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House any joint resolution specified in section 3 of this resolution. All points of order against consideration of each such joint resolution are waived. Each such joint resolution shall be considered as read. All points of order against provisions in each such joint resolution are waived. The previous question shall be considered as ordered on each such joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to commit.

SEC. 3. The joint resolutions referred to in section 2 of this resolution are as follows:

(a) The joint resolution (S.J. Res. 23) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units".

(b) The joint resolution (S.J. Res. 24) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Carbon Pollution Emission Guidelines for Existing Sta-

tionary Sources: Electric Utility Generating Units".

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

□ 1230

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

**GENERAL LEAVE**

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

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

There was no objection.

Mr. BURGESS. Mr. Speaker, H. Res. 539 provides for a rule to consider three important bills that will help millions of Americans and their families who are having to pay or will soon be paying higher energy costs due to the administration's misguided and ill-conceived energy policies. The rule provides for 1 hour of debate, equally divided between the majority and the minority of the Energy and Commerce Committee, on each of the pieces of legislation before us, including S.J. Res. 23, a resolution of disapproval of a rule promulgated by the Environmental Protection Agency on greenhouse gases from new stationary sources; S.J. Res. 24, a resolution of disapproval of a rule promulgated by the Environmental Protection Agency on greenhouse gases from existing stationary sources; and H.R. 8, the North American Energy Security and Infrastructure Act of 2015, which will move this country in a direction of greater energy independence.

The rule before us today provides for a closed rule on both resolutions of disapproval, as is standard for such measures, allowing for 1 hour of debate equally divided between the majority and minority of the Committee on Energy and Commerce, while allowing the minority a motion to commit on each of the resolutions.

Further, the rule provides for 1 hour of debate on H.R. 8, also equally divided between the chair and ranking member of the Committee on Energy and Commerce. A subsequent order from the Committee on Rules will likely address any amendments to be made in order later in the week.

The House, in taking up these measures, is doing so to reflect the will of the people so many of us represent who are opposed to the administration's actions and wish to stop this out-of-control Environmental Protection Agency from doing further damage to the economy. Further, H.R. 8 reflects a broad consensus of energy stakeholders who are ready and willing to move the country's energy future into high gear.

S.J. Res. 23, disapproving of the Environmental Protection Agency's new greenhouse gas rules on new stationary sources—loosely translated, that means the Nation's power plants, keeping the lights on in your home, the heat on in the winter, and the air-conditioning on in the summer—and S.J. Res. 24, disapproving of the EPA's new greenhouse gas rules on existing stationary sources, both of these joint resolutions passed in the Senate in October by a majority vote of 52–46. The Congressional Review Act, the law which allows for the process of disapproval by Congress when an administration goes too far with one of its rules, allows us an up-or-down vote on the resolution, which cannot be filibustered, thus allowing the measure to be considered in the Senate. It is now time for the House to be heard on this measure as well.

Mr. Speaker, the Environmental Protection Agency's overreaching greenhouse gas rules have had an extensive number of hearings in the Energy and Commerce Committee over the last few years. The committee reviewed all aspects of the proposed rules, including the impacts on reliability and the impacts on consumer costs, including bringing the Federal Energy Regulatory Commission to discuss possible impacts on reliability around the country due to these rules.

Already, in many States across the Nation, coal-fired power plants are closing because they see that the Obama administration's EPA has made it clear that it will go after them relentlessly until they are shuttered. This means fewer cost-effective options for consumers and also the potential for brownouts and blackouts during high-consumption times, like during the peak of the summer in Texas, where rolling brownouts are already not uncommon. The Environmental Protection Agency's new rules will only exacerbate this issue.

Whether Members of this body support these rules or oppose them, the measures before us today will provide each Member the opportunity to be officially registered on where they stand on these EPA rules, and that is what we are all here to do.

H.R. 8, in contrast to the EPA's regulations, moves the country to a place of greater energy security and abundance. Over the past several years, the Energy and Commerce Committee has worked towards modernizing the Nation's energy laws, making the government more accountable, more accountable to the people it is meant to represent as it makes decisions which affect literally every citizen in this country and their pocketbooks.

The free market has long been the guiding force in moving this country ahead in the energy sector. Texas was one of the first major beneficiaries, with the oil boom in the last two centuries. Now, as new technologies and innovations emerge, Congress must stand on the side of the free market

again, stopping the executive branch from picking winners and losers in the energy market and allowing consumers—allowing consumers—to make those decisions for themselves.

When consumers choose what energy sources and what technologies work best for them, the economy grows faster and grows more efficiently than ever the government could possibly drive it. That is what the Architecture of Abundance is all about.

This country has the resources to be energy independent. It has the ability to end our reliability on oil and gas from the Middle East, a region that is perpetually in turmoil. But the Obama administration has stymied much of the progress that was made in the first decade of this century, slowing or stopping leases on public lands for new exploration of our own resources and putting up red tape and numerous barriers to allowing Americans to tap into what is rightfully theirs. This is a bill that is long overdue, and I certainly thank Chairman UPTON for his work on the bill, H.R. 8.

I encourage all of my colleagues to vote “yes” on the rule and “yes” on the three underlying bills. They are an important first step in setting this country on the path to a modern, stable, and abundant energy future.

I reserve the balance of my time.

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

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

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Texas (Mr. BURGESS) for yielding me the customary 30 minutes.

Mr. Speaker, I rise in opposition to this closed rule and the underlying legislation.

I want to begin by congratulating the Republican majority for breaking a record today. Through their exemplary, heavyhanded, undemocratic leadership, this is now officially the most closed session of Congress in the entire history of the United States of America. I am not sure that is something to be proud of, but that is the title that they have earned.

Today, we are debating the 47th and 48th closed rules of the 114th Congress. We are in our third legislative week since Speaker RYAN took the gavel, and we are already debating our third and fourth closed rules during his short tenure.

Speaker RYAN promised a more open, more inclusive, more deliberative, more participatory process. I think he must have misspoken because, by any measure, the Republican leadership has already fallen short of that commitment.

Today, we are considering three bills: two that seek to undermine the EPA's ability to protect our public health and environment and a third that offers many troubling provisions, including one which would hastily rush the natural gas pipeline approval process and

allow pipelines to be built and run right through our magnificent national parks.

On December 11, our government will run out of money. During the 114th Congress, we have stood in this Chamber debating Republican messaging bills to repeal the Affordable Care Act, undermine the Dodd-Frank financial reform law, and weaken public health and environmental regulations while failing to consider meaningful legislation that would create jobs, boost the economy, and help vulnerable Americans rise out of poverty. Instead of focusing on these priorities, this majority will bring to the floor three bills intended to prevent the EPA from effectively doing its job.

Now, if anyone is feeling déjà vu, that is probably because what I just said is from a floor speech I gave on a rule for three antiscience bills that the Republicans brought before us last November. The only difference is I changed 113th to 114th Congress. And while I hate to repeat myself, unfortunately, the majority is in a rut of bringing before us the same old same old: unproductive legislation that is going nowhere.

We have 6 legislative days left to ensure that the government doesn't run out of money, just 6 days; but instead of focusing on that, instead of working to ensure the government is funded, we are on the floor debating more Republican messaging bills that I think were written in the National Republican Congressional Committee because they are poorly drafted. These bills have drastic and devastating effects on public health and the environment, and they will be vetoed by the President of the United States.

I include in the RECORD the Statements of Administration Policy on these bills, expressing the administration's intent to veto these bills.

STATEMENT OF ADMINISTRATION POLICY  
H.R. 8—NORTH AMERICAN ENERGY SECURITY  
AND INFRASTRUCTURE ACT OF 2015  
(Rep. Upton, R-MI, Nov. 30, 2015)

The Administration is committed to taking responsible steps to modernize the Nation's energy infrastructure in a way that addresses climate change, promotes clean energy and energy efficiency, drives innovation, and ensures a cleaner, more stable environment for future generations. The Administration strongly opposes H.R. 8 because it would undermine already successful initiatives designed to modernize the Nation's energy infrastructure and increase our energy efficiency.

Increased energy efficiency offers savings on energy bills, provides opportunities for more jobs, and improves industrial competitiveness. H.R. 8 would stifle the Nation's move toward energy efficiency by severely hampering the Department of Energy's (DOE) ability to provide technical support for building code development and State implementation. In addition, the bill would undercut DOE's ability to enforce its appliance standards and would weaken section 433 of the Energy Independence and Security Act of 2007, which requires a reduction in fossil fuel-generated energy in Federal buildings.

H.R. 8 includes a provision regarding certain operational characteristics in capacity

markets operated by Regional Transmission Organizations (RTOs) and Independent System Operators (ISOs). The Federal Energy Regulatory Commission (FERC) and RTOs and ISOs are already well positioned, especially as technologies change over time, to ensure that capacity market structures adequately provide for the procurement of sufficient capacity to efficiently and reliably fulfill the resource-adequacy function that these markets are intended to perform.

H.R. 8 includes new, unnecessary provisions that would broaden FERC's authority to impose deadlines on other Federal agencies reviewing the environmental implications of natural gas pipeline applications. H.R. 8 also would unnecessarily curtail DOE's ability to fully consider whether natural gas export projects are consistent with the public interest.

Further, H.R. 8 would undermine the current hydropower licensing regulatory process in place under the Federal Power Act that works to minimize negative impacts associated with the siting of hydropower projects, including negative impacts on safety, fish and wildlife, water quality and conservation, and a range of additional natural resources and cultural values. Among the ways that H.R. 8 would undermine this process would be by creating a new exemption from licensing that would undercut bedrock environmental statutes, including the Clean Water Act, the National Environmental Policy Act, and the Endangered Species Act.

Finally, H.R. 8 presents certain constitutional concerns. Sections 1104 and 3004 would impermissibly interfere with the President's authorities with regard to the conduct of diplomacy and in some cases diplomatic communications, and sections 1109 and 1201 raise concerns under the Recommendations Clause.

If the President were presented with H.R. 8, his senior advisors would recommend that he veto the bill.

STATEMENT OF ADMINISTRATION POLICY

S.J. RES. 23—DISAPPROVING EPA RULE ON GREENHOUSE GAS EMISSIONS FROM NEW, MODIFIED, AND RECONSTRUCTED ELECTRIC UTILITY GENERATING UNITS

(Sen. McConnell, R-KY, Nov. 17, 2015)

The Administration strongly opposes S.J. Res. 23, which would undermine the public health protections of the Clean Air Act (CAA) and stop critical U.S. efforts to reduce dangerous carbon pollution from power plants. In 2007, the Supreme Court ruled that the CAA gives the U.S. Environmental Protection Agency (EPA) the authority to regulate greenhouse gas (GHG) pollution. In 2009, EPA determined that GHG pollution threatens Americans' health and welfare by leading to long-lasting changes to the climate that can, and are already, having a range of negative effects on human health and the environment. This finding is consistent with conclusions of the U.S. National Academy of Sciences, the Intergovernmental Panel on Climate Change, and numerous other national and international scientific bodies. Power plants account for roughly one-third of all domestic GHG emissions. While the United States limits dangerous emissions of arsenic, mercury, lead, particulate matter, and ozone precursor pollution from power plants, the Carbon Pollution Standards and the Clean Power Plan put into place the first national limits on power plant carbon pollution. The Carbon Pollution Standards will ensure that new, modified, and reconstructed power plants deploy available systems of emission reduction to reduce carbon pollution.

S.J. Res. 23 would nullify carbon pollution standards for future power plants and power

plants undertaking significant modifications or reconstruction, thus slowing our country's transition to cleaner, cutting-edge power generation technologies. Most importantly, the resolution could enable continued build-out of outdated, high-polluting, and long-lived power generation infrastructure and impede efforts to reduce carbon pollution from new and modified power plants—when the need to act, and to act quickly, to mitigate climate change impacts on American communities has never been more clear.

Since it was enacted in 1970, and amended in 1977 and 1990, each time with strong bipartisan support, the CAA has improved the Nation's air quality and protected public health. Over that same period of time, the economy has tripled in size while emissions of key pollutants have decreased by more than 70 percent. Forty-five years of clean air regulation have shown that a strong economy and strong environmental and public health protection go hand-in-hand.

Because S.J. Res. 23 threatens the health and economic welfare of future generations by blocking important standards to reduce carbon pollution from the power sector that take a flexible, common sense approach to addressing carbon pollution, if the President were presented with S.J. Res. 23, he would veto the bill.

#### STATEMENT OF ADMINISTRATION POLICY

S.J. RES. 24—DISAPPROVING EPA RULE ON CARBON POLLUTION EMISSION GUIDELINES FOR EXISTING ELECTRIC UTILITY GENERATING UNITS

(Sen. Capito, R-WV, Nov. 17, 2015)

The Administration strongly opposes S.J. Res. 24, which would undermine the public health protections of the Clean Air Act (CAA) and stop critical U.S. efforts to reduce dangerous carbon pollution from power plants. In 2007, the Supreme Court ruled that the CAA gives the U.S. Environmental Protection Agency (EPA) the authority to regulate greenhouse gas (GHG) pollution. In 2009, EPA determined that GHG pollution threatens Americans' health and welfare by leading to long-lasting changes to the climate that can, and are already, having a range of negative effects on human health and the environment. This finding is consistent with conclusions of the U.S. National Academy of Sciences, the Intergovernmental Panel on Climate Change, and numerous other national and international scientific bodies. Power plants account for roughly one-third of all domestic GHG emissions. While the United States limits dangerous emissions of arsenic, mercury, lead, particulate matter, and ozone precursor pollution from power plants, the Clean Power Plan and the Carbon Pollution Standards put into place the first national limits on power plant carbon pollution. The Clean Power Plan empowers States to cost-effectively reduce emissions from existing sources and provides States and power plants a great deal of flexibility in meeting the requirements. EPA expects that under the Clean Power Plan, by 2030, carbon pollution from power plants will be reduced by 32 percent from 2005 levels.

By nullifying the Clean Power Plan, S.J. Res. 24 seeks to block progress towards cleaner energy, eliminating public health and other benefits of up to \$54 billion per year by 2030, including thousands fewer premature deaths from air pollution and tens of thousands of fewer childhood asthma attacks each year. Most importantly, the resolution would impede efforts to reduce carbon pollution from existing power plants—the largest source of carbon pollution in the country—when the need to act, and to act quickly, to mitigate climate change impacts on American communities has never been more clear.

Since it was enacted in 1970, and amended in 1977 and 1990, each time with strong bipartisan support, the CAA has improved the Nation's air quality and protected public health. Over that same period of time, the economy has tripled in size while emissions of key pollutants have decreased by more than 70 percent. Forty-five years of clean air regulation have shown that a strong economy and strong environmental and public health protection go hand-in-hand.

Because S.J. Res. 24 threatens the health and economic welfare of future generations by blocking important standards to reduce carbon pollution from the power sector that take a flexible, common sense approach to addressing carbon pollution, if the President were presented with S.J. Res. 24, he would veto the bill.

Mr. McGOVERN. But I guess from the Republican point of view, the positive thing about these bills is that they are yet another pander to big money fossil fuel special interests. I urge my colleagues to follow the money because that is what this is all about here today. It is not about serious legislation. It is about fundraising.

Mr. Speaker, S.J. Res. 23 and S.J. Res. 24 look to stop commonsense regulations that the EPA has put in place that protect us from the harmful pollution emitted by power plants. These joint resolutions are another clear message from the Republican majority that they do not believe that climate change is real. Over 120 environmental, faith-based, and public health organizations have already come out opposing these two resolutions, including the American Lung Association, the Allergy and Asthma Network, the League of Conservation Voters, the Natural Resources Defense Council, the Sierra Club, and Public Citizen. I can stand here forever and repeat the other organizations that have a lot of public support in this country that have come out against these bills.

Power plants account for 40 percent of our annual carbon pollution emissions. They are the single biggest source of carbon pollution in the country. Yet the Republican majority wants to take away the greatest step we have taken to try to curb that major source of pollution. These two joint resolutions would permanently prevent the EPA from ever, ever limiting pollution from power plants in the future as well.

H.R. 8 is also a deeply troubling piece of legislation. It favors the use of fossil fuels over renewable energy and favors consumption over energy efficiency.

□ 1245

It would ram pipeline applications through FERC in under 90 days even though most applications, by the way, are reviewed and approved in less than 1 year.

It all but removes individuals from the process, allowing big gas companies to choose to build wherever they want, regardless of the consequences for local communities. It would even allow them to build through our treasured national parks. It is an early Christmas gift for big special interests.

At some point, we must face the facts, Mr. Speaker.

So I want to say something to my colleagues on the Republican side. I know it may make you feel uncomfortable, but it is the truth: Climate change is real.

The overwhelming science says it is real, yet a huge chunk of the Republican Conference is in denial. They don't believe there is such a thing as climate change. They don't believe we have any responsibility to our children or to future generations to combat climate change.

They are perfectly happy living in this fantasy world where you can rely on fossil fuels and rely on fossil fuels and rely on fossil fuels and can just make believe that it has no impact at all on the environment.

Quite frankly, if climate change weren't such a serious issue, it would be comical, but climate change is a serious issue. It is a real issue. It is an issue not just for us; it is an issue for future generations. So their denial, quite frankly, is frightening.

We shouldn't be propping up coal and oil industries with taxpayer subsidies. We shouldn't be using taxpayer money to destroy our environment. When the scientific community reaches a clear consensus on an issue like climate change, Congress shouldn't undermine them with dangerous legislation like this.

When we receive credible, peer-reviewed study after study after study after study that tells us we are in the middle of a climate crisis and that something must be done about it, we need to listen, but the Republican majority refuses to listen.

Climate change is often referred to as the most pressing issue of our time. We know that climate change is for real. We know that. We see it. We live it. The scientific community has verified it.

Climate change is not a theory, it is not a hoax, and it is certainly not some silly fantasy. When arctic ice is crashing into the oceans at record rates, that is not a hoax. When species are going extinct at accelerated rates around the globe, that is not a fantasy. When extreme weather events are becoming commonplace, that is not a theory. When the global temperature of the planet continues to increase every year for decades, we should pay attention.

These are the exact same scare tactics that have been used for over 45 years in opposition to climate change. It is the same old stuff. Opponents of clean air have been claiming for half a century that clean air regulations would kill jobs and hurt economic growth, but they are wrong.

The truth is that the Clean Air Act alone has created \$57 trillion in benefits since it was enacted in 1970. The Clean Power Plan will lead to a stronger economy, a safer climate, and better health for all of us.

Why is this so difficult? Maybe it is because my friends on the other side of

the aisle don't like the President, so anything that he is for they have to be against. You have got to move beyond your anger. You have got to look at the issues, and you have to evaluate them based on the evidence.

The evidence is that climate change is for real, but you would never know that in listening to the majority. They have no solutions, only denial. Let's keep on down the road of the same old, same old, and their "just say no" agenda is a recipe for disaster.

As we gather here, leaders from all around the world are meeting in Paris to talk about how to deal with the issue of climate change. What we should be doing here is providing some wind at the backs of not only our President but of all of the leaders of the world who are gathering to try to figure out how to deal with this challenge.

Instead of doing that, we are doing this. It is really sad that this is what we have come to. If we are going to say "no" to anything today, it should be to this closed rule and to S.J. Res. 23 and to S.J. Res. 24.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself 2 minutes.

The Republican Party is in the majority today. There are a couple of reasons that is so.

There were bills passed in 2009 and 2010, and the American people looked at what was happening in their legislative body and said: We need a change. We need a change from the direction in which we are going.

One of those bills, I will submit, was the Waxman-Markey bill, the cap-and-trade scheme that was drawn up in the Energy and Commerce Committee, of which I am a member. I sat through the debate on it. I remember it very well.

That bill was brought to this floor, and that bill was forced through this House in June of 2009, right before Members went home for the 4th of July weekend.

A lot of people will look at the Affordable Care Act and say that is the reason Congress changed from a majority-Democrat institution to a majority-Republican institution. It is because of the passage of the Affordable Care Act.

Yet, Mr. Speaker, I submit that it was actually that activity in June of 2009 that caused people to look at what was going on in their Congress and to look at that bill that was drafted in the Energy and Commerce Committee by Chairman Waxman and Chairman MARKEY and say: No, not for us. We are not going along with this. This is not a direction in which we want you to take this country.

We still function under that quaint notion that we have government with the consent of the governed, but the governed did not consent to what they saw being passed in Congress late in June of 2009. So it is no accident that things are the way they are today.

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

Mr. BURGESS. Mr. Speaker, I yield myself an additional 1 minute.

I want to read a passage from columnist George Will from earlier this year, January 7, of his writing in the Washington Post. Mr. Will writes:

"We know, because they often say so, that those who think catastrophic global warming is probable and perhaps imminent are exemplary empiricists. They say those who disagree with them are 'climate change deniers' disrespectful of science.

"Actually, however, something about which everyone can agree is that, of course, the climate is changing—it always is. And if climate Cassandras are as conscientious as they claim to be about weighing evidence, how do they accommodate historical evidence of enormously consequential episodes of climate change not produced by human activity? Before wagering vast wealth and curtailments of liberty on correcting the climate," perhaps they should consider the past.

Then he goes on to detail those episodes in the past: the Little Ice Age and the Medieval Warm Period.

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

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

There are, indeed, recent episodes in recorded history that can be looked to where the climate has changed and, yes, has affected human behavior and the human condition, but those were not climate changes affected by the result of human activity. Those were caused by natural cycles, within the Sun cycle, within things over which none of us had any control.

Again, I would take the words of Mr. Will to heart. Before we wager vast amounts of wealth and curtailments of liberty, we would do well to consider those facts.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I inquire of the gentleman as to how many more speakers he has, for I am prepared to close.

Mr. BURGESS. Mr. Speaker, I believe I am the only speaker.

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

With all due respect to George Will, with whom I don't agree on very much of anything, quite frankly, if he or anybody else really believes that there is no correlation between human activity and climate change, I would suggest that maybe he go back to school, because the overwhelming science tells us that there is a connection. The overwhelming science tells us that our reliance on fossil fuels, in particular, has accelerated the climate change on this planet.

Again, it just astounds me that, on an issue on which the scientific community has come together overwhelmingly, there is such a disconnect. Again, at a time when all the world's

leaders are gathered in Paris trying to figure out how to deal with this challenge, the House of Representatives is dealing with this. I think that is sad and regrettable.

I ask my colleagues to defeat the previous question. If we defeat the previous question, I will offer an amendment to the rule to bring up bipartisan legislation that would grant law enforcement the authority to block the sale of firearms and explosives to individuals who are suspected of international or domestic terrorism.

Mr. Speaker, I ask unanimous consent to include in the RECORD the text of the amendment, 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 Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, to me, this should not be controversial, but in this Chamber that is so beholden to the National Rifle Association, this has become a point of controversy. We are talking about people who are suspected of international or domestic terrorism. I don't think any reasonable person feels comfortable with selling those people weapons.

We ought to be able to come together by putting the security interests of the people of this country first and enacting this. I hope that there is a strong, bipartisan vote to defeat the previous question so that we can actually bring this up, debate it, and pass it.

Mr. Speaker, I include for the RECORD a letter from 120 organizations—many environmental organizations, many faith-based organizations—all who oppose S.J. Res. 23 and S.J. Res. 24.

NOVEMBER 30, 2015.

DEAR REPRESENTATIVE: On behalf of our millions of members, the undersigned organizations urge you to oppose Senators McConnell and Capito's Congressional Review Act resolutions of disapproval (S.J. Res. 23 and 24) that would permanently block the EPA's Clean Power Plan.

These resolutions are an extreme assault on public health, the clean energy economy, and modernizing our energy sector. The Clean Power Plan puts in place commonsense limits on power plant carbon pollution, developed with the input of thousands of stakeholders, and provides the flexibility states need to develop their own plans to meet pollution reduction targets. Blocking these commonsense safeguards puts polluter profits before the health of our children.

Power plants are the country's single largest source of the pollution fueling climate change and the Clean Power Plan is the single biggest step we have ever taken to tackle climate change. This plan is expected to deliver billions of dollars in benefits and will prevent nearly 3,000 premature deaths and more than a hundred thousand asthma attacks per year by 2030.

Not only would these resolutions undo all of the health and economic benefits of the Clean Power Plan, they would also bar EPA from issuing any standards in the future that are substantially similar. This means that Americans would continue to be exposed indefinitely to carbon pollution and the impacts of climate change.

The world's leading scientists agree that failing to act on climate change will ensure worsening extreme weather events, threaten food supplies and increase public health risks. We strongly urge you to oppose these resolutions that put the health of our children and families at risk, threaten the quality of our air, and strip the EPA of the tools to address dangerous carbon pollution.

Sincerely,

350.Org, ActionAid USA, Alliance of Nurses for Healthy Environments, American Rivers, Appalachian Voices, Arizona Interfaith Power & Light, Arkansas Public Policy Panel, Center for Biological Diversity, Clean Air Task Force, Clean Water Action, Climate Action Alliance of the Valley.

Climate Law & Policy Project, Climate Parents, Coalition on the Environment and Jewish Life, Colorado Interfaith Power & Light, Conservation Voters for Idaho, Conservation Voters of South Carolina, Defenders of Wildlife, Delaware Interfaith Power & Light, Earthjustice, Earth Ministry/Washington Interfaith Power & Light, Elders Climate Action,

Environment America, Environment Arizona, Environment California, Environment Colorado, Environment Connecticut, Environment Florida, Environment Georgia, Environment Iowa, Environment Maine, Environment Maryland, Environment Massachusetts, Environment Michigan, Environment Minnesota, Environment Missouri.

Environment Montana, Environment Nevada, Environment New Mexico, Environment New Hampshire, Environment New York, Environment North Carolina, Environment Ohio, Environment Oregon, Environment Rhode Island, Environment Texas, Environment Virginia, Environment Washington, Environmental Advocates of New York.

Environmental Investigation Agency, Environmental Justice Leadership Forum on Climate Change, Environmental Law and Policy Center, Environmental and Energy Study Institute, Environmental Defense Action Fund, Georgia Interfaith Power & Light, GreenLatinos, Health Care Without Harm, Hoosier Interfaith Power & Light, Illinois Interfaith Power & Light, Interfaith Power & Light, Interfaith Power & Light (DC, MD, NoVA), Iowa Interfaith Power & Light, Iowa Chapter Physicians for Social Responsibility.

International Forum on Globalization, KyotoUSA, League of Conservation Voters, League of Women Voters, Maine Interfaith Power & Light, Maine Conservation Voters, Maryland League of Conservation Voters, Massachusetts Interfaith Power & Light, Michigan League of Conservation Voters, Minnesota Interfaith Power & Light, Missouri Interfaith Power & Light, Montana Conservation Voters, Montana Environmental Information Center, Natural Resources Defense Council.

Nebraska Interfaith Power & Light, New Jersey League of Conservation Voters, New Mexico Interfaith Power & Light, New Virginia Majority, New York Interfaith Power & Light, New York League of Conservation Voters, North Carolina Interfaith Power & Light, North Carolina Council of Churches, North Carolina League of Conservation Voters, Ohio Interfaith Power & Light, Oklahoma Interfaith Power & Light, Oregon League of Conservation Voters, PDA, Tucson, PennEnvironment, Pennsylvania Interfaith Power & Light.

Physicians for Social Responsibility, Physicians for Social Responsibility, Arizona, Physicians for Social Responsibility Maine Chapter, Polar Bears International, Protect Our Winters, Public Citizen, Rachel Carson Council, Rhode Island Interfaith Power & Light, Sierra Club, Southern Environmental

Law Center, Southern Oregon Climate Action Now, Sunshine State Interfaith Power & Light, Tennessee Interfaith Power & Light.

Texas Interfaith Power & Light, Texas Physicians for Social Responsibility, The Climate Reality Project, Union of Concerned Scientists, Utah Interfaith Power & Light, Vermont Interfaith Power & Light, Virginia Interfaith Power & Light, Virginia Organizing, Voces Verdes, Voice for Progress, WE ACT for Environmental Justice, Western Organization of Resource Councils, Wisconsin Environment, Wisconsin Interfaith Power & Light, Wisconsin League of Conservation Voters, World Wildlife Fund.

Mr. MCGOVERN. Mr. Speaker, I include for the RECORD a letter that was sent to every Member of Congress who is opposed to these two bills. It is signed by the Allergy and Asthma Network, the American Lung Association, the American Public Health Association, the Children's Environmental Health Network, the Trust for America's Health, the National Association of Hispanic Nurses, the Asthma and Allergy Foundation of America, and the Health Care Without Harm.

Again, they are all opposed to the legislation that we are bringing before the House today.

NOVEMBER 16, 2015.

DEAR REPRESENTATIVE: The undersigned public health and medical organizations strongly urge you to oppose Congressional Review Act resolutions H.J. Res. 71 and 72. The measures are excessive attacks on public health protections from carbon pollution from power plants.

The Congressional Review Act resolutions are an extreme tool that would permanently block the U.S. Environmental Protection Agency (EPA)'s actions to reduce dangerous carbon pollution from power plants. These resolutions would prevent EPA from moving forward with any substantially similar action in the future. Carbon pollution from power plants greatly contributes to climate change, which is widely recognized as one of the greatest threats to public health. To protect public health, it is vital that our nation make progress in the fight against climate change.

As U.S. Surgeon General Vivek Murthy, MD, MBA, said during 2015 National Public Health Week, "We know that climate change means higher temperatures overall, and it also means longer and hotter heat waves . . . higher temperatures can mean worse air in cities, and more smog and more ozone. We know that more intense wildfires will mean increased smoke in the air. And we know that earlier springs and longer summers mean longer allergy seasons."

The science is clear: communities across the nation are experiencing the health effects of climate change now. Climate change is impacting air pollution, which can cause asthma attacks, cardiovascular disease and premature death, and fostering extreme weather patterns, such as heat and severe storms, droughts, wildfires and flooding, that can harm low-income communities disproportionately. Bold action is needed to protect public health, which is why our organizations support the Clean Power Plan.

EPA's action to reduce carbon pollution from power plants will help the nation take important steps toward protecting Americans' health from these threats. Not only does the Clean Power Plan give states flexible tools to reduce the carbon pollution that causes climate change, these crucial tools will also have the co-benefit of reducing other deadly pollutants at the same time,

preventing up to 3,600 premature deaths and 90,000 asthma attacks every year by 2030.

Please make your priority the health of your constituents and vote NO on these Congressional Review Act resolutions, H.J. Res. 71 and 72.

Sincerely,

Allergy and Asthma Network; American Lung Association; American Public Health Association; American Thoracic Society; Asthma and Allergy Foundation of America; Children's Environmental Health Network; Health Care Without Harm; National Association of Hispanic Nurses; Trust for America's Health.

Mr. MCGOVERN. Mr. Speaker, I close as I began, which is by reminding my colleagues that we are at an important crossroads. We still have an opportunity to do something about climate change.

We still have an opportunity to be on the right side of history. We have the opportunity to do something that is good not only for all of us but for our children, for our grandchildren, and for generations to come.

We have an opportunity to provide some wind at the backs of the leaders from all over the world who are gathered in Paris and who are trying to figure out how to deal with the issue of climate change.

If we want to take advantage of that opportunity, we need to reject the same old, same old. We need to understand that we need to transition from our historic reliance on fossil fuels.

There is a correlation between our reliance on these forms of energy and what we are seeing right now in our environment. It didn't begin that way, and we didn't think we were doing harm to the environment when we were utilizing these resources, but science, over the years, has shown us, undeniably, the damage that has been done to our planet. It is up to us to try to reverse this trend, not to bury our heads in the sand, not to deny science, not to deny climate change, but to do the right thing.

I hope that my colleagues, even some of my Republican colleagues, will join with us in rejecting this legislation and will instead work with this White House and will work with other world leaders to deal with the issue of climate change.

□ 1300

We all talk about national security as being our top priority. Well, national security is more than just the number of weapons we have in our arsenal. It also includes the cleanliness and the purity of our environment. It is about time we become good stewards of this planet.

I urge my colleagues to vote "no" on the previous question and to vote "no" on this backward-thinking legislation that really should not be on the floor today.

I yield back the balance of my time.

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

Mr. Speaker, I do feel obligated to point out that, in the absence of the

Waxman-Markey bill, during this administration and the previous administration, between 2005 and 2012, carbon emissions in this country fell by 10 percent because of market-based activity.

That puts the United States halfway to the goal that it set for itself in the United Nations agreement, a goal that we would reduce carbon emissions by 20 percent in the year 2020.

We are halfway there, a 10 percent reduction. That is without Waxman-Markey. That is without any international agreement that the President might think he is entertaining or entering into over in Paris.

Mr. Speaker, today's rule provides for the consideration of three important bills for our energy future, two resolutions disapproving of the Environmental Protection Agency's greenhouse gas regulations and a bill that is forward looking that will set this country on the path to greater energy security.

The material previously referred to by Mr. McGOVERN of Massachusetts is as follows:

AN AMENDMENT TO H. RES. 539 OFFERED BY  
MR. McGOVERN OF MASSACHUSETTS

Strike all after the resolved clause and insert:

That 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. 1076) to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist. 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 the Judiciary. 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. 2. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1076.

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), de-

scribes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

The SPEAKER pro tempore (Mr. POE of Texas). The question is on ordering the previous question.

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

Mr. McGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

## INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2016

Mr. NUNES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4127) to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4127

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

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

(a) SHORT TITLE.—This Act may be cited as the "Intelligence Authorization Act for Fiscal Year 2016".

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Budgetary effects.

### TITLE I—INTELLIGENCE ACTIVITIES

- Sec. 101. Authorization of appropriations.
- Sec. 102. Classified schedule of authorizations.
- Sec. 103. Personnel ceiling adjustments.
- Sec. 104. Intelligence Community Management Account.
- Sec. 105. Clarification regarding authority for flexible personnel management among elements of intelligence community.

### TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DIS- ABILITY SYSTEM

- Sec. 201. Authorization of appropriations.

### TITLE III—GENERAL PROVISIONS

- Sec. 301. Increase in employee compensation and benefits authorized by law.
- Sec. 302. Restriction on conduct of intelligence activities.
- Sec. 303. Provision of information and assistance to Inspector General of the Intelligence Community.
- Sec. 304. Inclusion of Inspector General of Intelligence Community in Council of Inspectors General on Integrity and Efficiency.
- Sec. 305. Clarification of authority of Privacy and Civil Liberties Oversight Board.
- Sec. 306. Enhancing government personnel security programs.
- Sec. 307. Notification of changes to retention of call detail record policies.
- Sec. 308. Personnel information notification policy by the Director of National Intelligence.
- Sec. 309. Designation of lead intelligence officer for tunnels.