

women he led, and, most importantly, his family, whom he loved dearly.

I offer my deepest condolences to Keith's family, especially his wife, Cindy, and all the firefighters who mourn his loss and cherish his memory.

GET THE VA WORKING FOR VETERANS

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

Mr. LAMALFA. Mr. Speaker, one of the most important bills signed into law during the last couple of years was a measure to reform the Department of Veterans Affairs to give our veterans choices.

This law was adopted in response to a national scandal over outrageous wait times at the VA, secret wait lists, and 40 veterans who died while waiting to receive care. In Oakland, the VA regional office discovered over 13,000 initial benefit claims that dated back to the 1990s tucked away in a file cabinet.

The widespread dysfunction and mismanagement of the VA is unacceptable. Our veterans deserve better.

Like many of my colleagues, I was shocked by the recent comments made by VA Secretary Bob McDonald, who made references to Disneyland in an interview about how long veterans must wait in line to see a doctor.

Veterans attempting to schedule medical appointments are not there for entertainment. Indeed, they are on a roller coaster as to whether they are even going to have an appointment when they show up a few days later. They are in need of basic healthcare services that they have risked their lives for.

In my district, I have heard from many veterans who have had their appointments canceled and have experienced significant obstacles in accessing their healthcare benefits.

It is clear that there are veterans all across the country who are not satisfied with the VA, and the only way to get the VA working for veterans is with accountability and strong congressional oversight.

Indeed, the glowing reports we get from VA officials are a fantasyland of the nontruth.

□ 1230

PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO H.R. 2576, TSCA MODERNIZATION ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 897, REDUCING REGULATORY BURDENS ACT OF 2015

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 742 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 742

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 2576) to modernize the Toxic Substances Control Act, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Energy and Commerce or his designee that the House concur in the Senate amendment with an amendment inserting the text of Rules Committee Print 114-54 modified by the amendment printed in the report of the Committee on Rules accompanying this resolution in lieu of the matter proposed to be inserted by the Senate. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The previous question shall be considered as ordered on the motion to its adoption without intervening motion or demand for division of the question.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 897) to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-53 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further 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 Transportation and Infrastructure; and (2) one motion to recommit with or without instructions.

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

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend from Colorado (Mr. POLIS), 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. WOODALL. 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 Georgia?

There was no objection.

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

Mr. Speaker, you heard the Reading Clerk read. Sometimes it is tough to follow what we do up there in the Committee on Rules. I would remind folks that rules.house.gov has the copy of the rule, and folks can get into all of the details. I am real proud of the work that we did up there yesterday. I am glad to be down here on the floor today representing it.

House Resolution 742, Mr. Speaker, is a standard rule for consideration of a House amendment to the Senate-amended H.R. 2576. That is the Toxic Substances Control Act Modernization Act. It also provides a closed rule for consideration of H.R. 897, the Zika Vector Control Act.

Mr. Speaker, the year was 1976. That was the last time the Congress and the White House dealt in a serious way with the Toxic Substances Control Act. In fact, that is when the bill was first passed.

For the intervening four decades, science has changed, technology has changed, consumer demands have changed, and yet the way that we regulate these chemicals has not. And it is not for lack of trying.

For Pete's sake, Mr. Speaker, long before I arrived in this Chamber 5 years ago, Members were trying to find an agreement on how to deal with the Toxic Substances Control Act, how to update that for late 20th century or early 21st century technology.

In fact, the late Senator Lautenberg, Mr. Speaker, was probably the largest champion for this reform that we had on either side of Capitol Hill. He passed away 3 years ago next week. Three years ago next week, many thought that the opportunities we had to succeed here passed away with him.

Despite the headlines, Mr. Speaker, that read that gridlock controls Washington, D.C., despite the 1-minutes that you hear down on the floor, Mr. Speaker, where it is their fault and it is their problem or it is his fault and it is his problem, there really are a serious group of Members on both sides of this Capitol who want to get the people's business done. What we have today is one of those efforts, an effort 40 years in the making that culminates here today.

It happened with a lot of serious, hard work on both sides of the Hill, Mr. Speaker. It happened because folks didn't give up when people said it couldn't be done. It happened because nobody said: It is my way or the highway. But they said: How can I work with folks who may disagree with me in order to reach an end that is going to be better for the folks that I serve back home?

We have that product today, Mr. Speaker. In fact, I have it right here. It is also available. It is the Rules Committee print. It is available at rules.house.gov if folks want to give it a read.

I won't confess it is a short read. I won't even suggest that it is an exciting read. But what I will suggest is it is the product of negotiation and consensus building.

You may remember, Mr. Speaker, that when we first dealt with this issue on the House side, it passed 398-1-398-1. It passed by unanimous consent on the Senate side. Now here we are today, having bridged those two bills. Mr. Speaker, that is the TSCA legislation.

The Zika Vector Control Act, Mr. Speaker, is designed to bring those pest control technologies that we have, those pest control opportunities that we have, to bear in the name of public health as soon as safely possible.

Mr. Speaker, for years the EPA has had in its understanding of how to regulate in this country that, as long as it had already certified a pest control as being safe, they did not have to go back and run it through the Clean Water Act approval process as well.

The law of the land, strictly speaking, says, yes, you need to do that. Folks thought it was duplicative. They hadn't been doing it.

This bill today clarifies that. It says: For Pete's sake, the law of the land is the law of the land. You ought to follow the law of the land. The law of the land ought to bring solutions to market as quickly and safely as we possibly can.

Mr. Speaker, we get one bite at this apple. We get one bite at Zika control. We get one bite at making this a public health risk that does not balloon here in the United States of America. This bill gives us an opportunity to put our best foot forward in terms of pest control.

Forty years, Mr. Speaker. For 40 years we have been working as House Members, as Senate Members, as Republicans, as Democrats, trying to look for the next effort to make sure that the chemicals we use in everyday household products are as safe as they can be, as viable as they can be—40 years, Mr. Speaker—and that process culminates here today.

This is a rule that all Members can support, and I would encourage them to do exactly that.

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

Mr. POLIS. I thank the gentleman for yielding me the customary 30 minutes. I yield myself such time as I may consume.

My friend from Georgia mentioned a Web site a couple times. I want to make sure that you are aware, Mr. Speaker, of democrats.rules.house.gov. That is the Web site that tells what is really going on in the Committee on Rules and in the House.

democrats.rules.house.gov talks about the fact that there are more closed rules in this Congress than any Congress that precedes it. What does that mean? It means that Republicans have chosen to allow fewer amendments and have had more rules that allow more bills with no amendments than in any prior Congress. That is the kind of facts, Mr. Speaker, that we want to bring to your attention on democrats.rules.house.gov, an excellent Web site.

Mr. Speaker, I also want to rise today—this is the last rule that I will have the opportunity to manage in conjunction with our current Democratic staff director, Miles Lackey, who, after 25 years of public service, will be leaving at the end of this week.

As a member of the Committee on Rules, I have deeply enjoyed the opportunity to work with Mr. Lackey these last several years. Really, there are few who know the institution and its rules as well as Miles Lackey, and I personally will miss him.

Mr. Lackey is a graduate of the University of North Carolina at Chapel Hill. He joined the House of Representatives staff back in 1987. In addition to his work in the House, he has been chief of staff to two United States Senators and a senior official in the Clinton White House. He has contributed to many pieces of landmark legislation over the last three decades.

I join my colleagues in wishing him well as he begins his new adventure on the staff at the historic Trinity Church, an Episcopal parish in New York City.

I want to express my profound gratitude, Mr. Speaker, for having had the opportunity to work with somebody of Mr. Lackey's caliber, as I join my colleagues in wishing him well in his future adventures.

Mr. Speaker, I also rise in opposition to the rule and the first of the two underlying bills, the Zika Vector Control Act, H.R. 897. It has changed its name. It is now called the Reducing Regulatory Burdens Act of 2015.

What it should be called, perhaps, is the Pesticide Trojan Horse Act, which would be a more apt name for what this bill actually does, which I will talk about in a minute.

The second bill that is covered under this rule is the TSCA Modernization Act, which is the product of years of negotiations. It certainly has both bipartisan support as well as bipartisan opposition.

It has problems especially regarding State preemption, which I will talk about, as well as several important attributes that have solved issues that have been facing our country with regard to chemical regulation for some time.

Now, first, with the first bill, we have a bill that, apparently, the Republicans thought they could change the name of and then bring to the floor again. They figured, presumably, that with "Zika" in the title it would be harder to vote against.

In reality, this bill has very little to do with the Zika epidemic. It is really another attack on the Environmental Protection Agency and the Clean Water Act. It is really just a pesticide industry Trojan horse bill.

I am very disappointed that we are considering a rule on this bill when there is a very real threat of Zika on our shores. There are already many Americans who have encountered Zika abroad, been infected, and have returned to our country. It is only a matter of time, Mr. Speaker, especially with the changing climate, that Zika will be endemic and will be spread in our own country by mosquitoes.

I had the opportunity to visit the Centers for Disease Control facility in

Fort Collins, Colorado, in my district. In the CDC facility in Fort Collins, they conduct all of the vector-borne illness research for the CDC. That is the nexus of vector-borne illness.

What does that mean? It means diseases that are spread by ticks and mosquitoes and fleas, everything from Lyme disease to Rocky Mountain spotted fever, in this case, Zika.

The CDC had been tracking Zika for some time. For close to a decade they knew that Zika existed. However, when it spread in South America and the link was recently made to birth defects, it jumped to the top of their agenda.

Unfortunately, they lack the abilities they need and the resources they need to try to find an effective way to eradicate Zika and provide a vaccination against Zika that would then be made globally available.

That is the kind of Zika bill the Democrats would like to bring forward. It is the kind of Zika bill that Americans expect from a public health perspective. It is the kind of Zika bill that will save lives and prevent a public health catastrophe.

I think there is a better way to do business on the floor of the House of Representatives. It wasn't too long ago that our new Speaker was touting dedication to regular order, but here we are again dealing with secretive, smoky backroom deals with very little time given to open, transparent discussion or amendments.

As you can see at democrats.rules.house.gov, there have been a record number of closed bills in this Congress. Last night in the Committee on Rules, we had a partisan vote where the Democrats sought to open up this rule for amendments and the majority unanimously—the Republicans all sided together—shot down any chances for real discussion. Unfortunately, the Republicans are preventing an open discussion of ideas.

They also know the Reducing Regulatory Burdens Act—that is the pesticide bill or the Zika bill, whatever you call it—won't become law, but they are deciding to bring up yet another partisan attack on the Environmental Protection Agency, somehow saying that actions to keep us safe from harmful pesticides is what has anything to do with Zika or public health.

In fact, the EPA is acting to protect public health by regulating toxic pesticides that not only can hurt humans, but can damage our environment.

□ 1245

I am glad to see we are finally having a busy week on the floor of the House. But the fact is one of these bills was already defeated on suspension last week, and we have so much work to do. There are only 24 days of business in the House of Representatives before Congress gets sent home for a summer break. It shows me that we can use our time better. We can pass immigration

reform, we can address our Nation's infrastructure, we can prevent the tax incentives that encourage corporations to offshore jobs, and we can reform our broken tax system.

There is a lot that we could be doing during these limited 24 days besides passing a Trojan horse for the pesticide industry. We have a list of must-do items before July, as well. Congress has to pass an FAA reauthorization. We need to pass comprehensive immigration reform. It won't get any better if Congress doesn't act. We need to address the student debt crisis and make college more affordable.

Mr. Speaker, I—and I believe the American people—would like to see all of these things happen before Congress gets another day or week or 2 months off, as Congress is expected to get in just 24 days.

TSCA reform is long overdue. The law is 40 years old. It has never really been updated, frankly, throughout its history. It has failed at controlling toxic substances, as the title has indicated it was supposed to do.

I am glad to see that a bipartisan, bicameral compromise was struck, which, for the most part, will strengthen the reform in a way that will protect our communities and public health.

There is a broad range of support for the bill, from supporters in the environmental community to labor, to the EPA, to industry groups. However, there are some serious concerns that I think we should take into account, particularly around an issue very near and dear to my heart: State preemption.

For the last 40 years, the EPA has had their hands tied in trying to regulate chemicals, which is why TSCA is considered to be the least effective environmental law out there. This bill will make it more effective and give it some more teeth. But to get any improvement on this law wouldn't take much raising of the bar, as it was the least effective environmental law out there.

The current law requires a cost-benefit analysis by the EPA which is far too high a bar to meet when it comes to protecting our children's safety. When we are talking about chemicals, we need to focus on health. And that is what this bill does. It requires that a minimum safety threshold be met by new chemicals before they are able to enter the marketplace. It makes sense.

It specifically focuses on the health of vulnerable populations like children and pregnant women who are at elevated risk of chemical exposure, which the current law does not.

Most astonishing about the current law is it actually grandfathered in over 60,000 chemicals in 1976. Today they are joined by hundreds of thousands of additional chemicals and many household products and industrial uses. This legislation would require safety reviews for all chemicals currently in use that people are exposed to.

As an example of how ludicrous the current system is, of the 62,000 chemicals on store shelves before 1976, the EPA only has studies on a few hundred. That means there are over 61,000 chemicals currently on store shelves that the EPA has not done any study on their environmental impact or human health impacts.

Even more ridiculous, the EPA's attempted ban on asbestos was struck down in 1991, due to the EPA having such a high standard for unreasonable risk. Yet we know asbestos has killed 107,000 people. It couldn't be banned under the current law, even when the EPA tried. This law will make the burden lower and, consequently, our communities safer by reviewing far more chemicals.

I should add that the asbestos issue has largely been dealt with by liability and litigation—court cases that have lasted decades. If we could have a regulatory system that prevents unsafe chemicals from being brought to the market and sold, it will also save hundreds of millions of dollars in legal fees and awards that would ensue if the chemicals were brought to market and actually harmed people.

So in addition to preventing the harm, these types of safety regulations can actually save both plaintiffs and defendants, both companies and consumers, significant amounts of resources.

To review these chemicals, the EPA will need funding. This bill collects a fee for new and existing chemicals, which is important to make the program work. The implementation of this new framework will be extremely important for TSCA to work.

There are several other positive aspects of the bill, but the other significant one I want to mention is that it reduces the use of animals for chemical testing, which is why I am proud to say the Humane Society has endorsed the bill.

Unfortunately, however, it is not all good news. There are some negative aspects to the bill that I was hoping we would have the opportunity to address through amendment, but due to this very closed process, we have not.

There are problems with provisions limiting the States' ability to act in an aggressive and proactive manner. There are many States around the country that have or are working to enact strong provisions to protect their residents from exposure to dangerous chemicals.

So, again, in the absence of a meaningful Federal system, many States have taken it upon themselves to protect their citizens from harmful chemicals.

The argument here is, now that the Federal Government does it, we can have some kind of preemption. I personally would like to see the ability of State governments to go above and beyond the Federal regulations without being cumbered by this issue of preemption. Now, it is a nuanced preemp-

tion. I am going to talk a little about it.

There have been some improvements to the State preemption language over the last few weeks and compromises written. As drafted, States will not have as much flexibility to protect their residents from unsafe chemicals as they do today. And that is absolutely true, and it is very unfortunate.

This so-called preemption pause period means that States seeking to protect the public from unsafe chemicals may have to wait up to 3 years for the EPA to finish its review. There are also concerns with the ability of the EPA to regulate imported products.

So I believe there was an opportunity to do even more to protect the health of American people and our environment under this bill.

With regard to State preemption standards, the bill can actually take us backward by preventing thoughtful health and safety standards at the State level. But in other ways, by empowering the Federal Government and finally putting teeth in TSCA, it is a good step forward.

So I urge Members to balance the important new authority the EPA is receiving with the negative parts of the bill around State law preemption. I know this bill will have both bipartisan support and opposition.

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

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

Mr. Speaker, I sometimes wonder why folks have such a negative opinion of Congress. And then sometimes I listen to my colleagues speak and I understand why folks back home have a negative opinion of Congress—because the folks who serve in this institution seem to have a negative opinion of Congress.

I would say to my friend from Colorado, I am not thrilled about everything in TSCA reform either. Generally speaking, when it takes 40 years to get something done; generally speaking, when Democrats ran the entire show and they failed to get it done, and when Republicans ran the entire show, they failed to get it done; generally speaking, those are really hard things to get done.

It takes serious, serious people working serious, serious hours, struggling with serious, serious issues to come to a conclusion. And candidly, Mr. Speaker, if I loved everything in this bill, I would wonder why we didn't get it done sooner. The easy things have already been done. All that is left for us are the hard things. Candidly, we have a good team on the field to do those hard things.

Mr. Speaker, I hope when we get into the debate on the underlying bill, you are not just going to hear from the Republican chairman of the committee about the good work here, but you are going to hear from the Democratic ranking member about the good work done here.

I am hoping you are not just going to hear from the Republican subcommittee chairman about the good work here, but that you are going to hear from the Democratic ranking member on the subcommittee about the good work here because that is how this bill came before us.

Mr. Speaker, there has been a discussion of partisanship. I hold in my hand a report from the Congressional Research Service. That is the non-partisan, academic research arm of the United States Congress. The title of this report is "Congressional Efforts to Amend Title I of the Toxic Substances Control Act," the House and Senate negotiated bill.

I agree with my friend from Colorado. If he and I were to sit down here and be able to write the bills ourselves—not just this one, but all of the bills ourselves—we would come up with some really great solutions; oftentimes, different solutions from the ones that are presented on the floor.

But the reason no amendments are allowed to this bill is because we have been working on it for 40 years because we couldn't agree. We already passed a bill in the House. They already passed a bill in the Senate. They were different bills. We had to come together and agree on the same language.

Now, to all of my friends who would like to offer their great ideas here at the eleventh hour, I would just tell you there were times before the eleventh hour that those ideas could have been offered, there were opportunities before the eleventh hour to come together. This is the final language. We don't want amendments to the final language.

I believe in an open process. I believe in an amendment process. I am proud that this is a closed rule on this topic because the amendments and the process have gone on in the past. This is the final product here today. That is TSCA, Mr. Speaker.

Now, the Zika Vector Control Act. My friend from Colorado, again, describes smoke-filled backroom deals when he describes this bill.

Again, why do folks have such a negative opinion about what we do?

One man's smoke-filled backroom deal is another man's 30 years of common practice. That is right. This is the bill that codifies what the EPA has been doing for 30 years. This codifies what the EPA, under Democratic administrations and Republican administrations, has already been doing.

They got sued, Mr. Speaker. Folks sued them and said: Hey, we don't think you are doing it right. We don't think that is what the rules allow.

So what did the EPA do?

The EPA came out with a rule-making process and said: Just to make it clear, this is the way we think we can best protect the public health.

They got sued again. And the court said: No, EPA, you can't make those decisions. Yes, you have been doing it for 30 years, but no, you can't make

those decisions. Congress needs to make that decision.

So what did Congress do?

We made that decision, and that bill is before us here today.

It is not a smoke-filled backroom deal, Mr. Speaker. It is light-of-day, common sense, common practice, trying to align the laws of the land with the expectations of our constituencies back home.

Absolutely, Mr. Speaker, every day of the week we could show up in this institution and we could run out somebody about something that is not going the way it is supposed to go. But together, we are succeeding today where previous Republicans and previous Democrats have failed. Together, we are succeeding today where previous Congresses found it too hard. Together, we are about the business that our constituents sent us here to do.

This is not a day to denigrate the institution, Mr. Speaker. This is a day to celebrate those things that we are able to do when we come together in the best traditions of the United States House.

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

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

Mr. Speaker, the gentleman from Georgia's remarks have very little to do with anybody who is denigrating the institution. I think he profoundly misunderstands the reason that the American people think that Congress isn't doing its job.

Let's talk about what Congress is doing. Today it is great. We are working. We are debating. We will probably be here until midnight.

Well, guess what?

After 3 more days of work, on Thursday, Congress will actually go on an 11-day vacation. It is working until Thursday, and then an 11-day vacation. We then come back in June, and I think Congress works for 12 days. Of course, in July, I think Congress works an amazing 8 or 9 days out of the entire month. August, zero days.

So what the American people expect is for us to be here hammering away at these issues 5 days a week, 6 days a week, and, if necessary, 7 days a week. That is the kind of work ethic that I brought to the companies that I worked for. When I was starting companies, I was working hard. Whether it was 5 days a week or 6 days a week, we worked as long as we needed to to get the job done. And that is the opposite of the work ethic of this Congress, because there are enormous tasks that this Congress is not doing.

This Congress hasn't worked at all towards balancing the budget. There are deficits of close to half a trillion dollars, thanks to the Republican tax-and-spend Congress. This Congress hasn't done a thing to fix our broken immigration system. Not a thing. It hasn't passed a single immigration bill in the entire Congress.

Let's stay here rather than go on vacation for 11 days. Let's make college

more affordable for American families. Let's reduce the deficit. Let's fix our broken immigration system and secure our borders.

Those are the kinds of things I would be proud of as a Member of a Congress. I would be proud to be here 5 days a week working hard on those issues. I would be proud to compromise and work with my colleagues on both sides of the aisle to create a work product that the American people would be confident with and, of course, would increase the confidence of the American people in this institution and both the Republicans and Democrats who have the honor to serve in it.

Mr. Speaker, I yield 2½ minutes to the gentleman from Texas (Mr. GENE GREEN).

□ 1300

Mr. GENE GREEN of Texas. Mr. Speaker, I thank my Colorado colleague on the Rules Committee for allowing me to speak.

I rise to oppose this rule but in support of the amendment to H.R. 2576, the TSCA Modernization Act.

This bipartisan, bicameral legislation will reform our Nation's broken chemical safety law for the first time since 1976 and directly addresses the Toxic Substances Chemical Act's fundamental flaws.

Congress has worked on reforming TSCA for over a decade, and, as a member of the Energy and Commerce Committee, I have personally been working on fixing the statute since 2008.

Though not perfect, the proposal before the House today is, in the words of President Obama's administration, "a clear improvement over current TSCA and represents a historic advancement for chemical safety and environmental law."

The most notable improvements in the bill are replacing the current TSCA's burdensome safety standard with a pure, health-based standard—that makes sense—explicitly requiring the protection of vulnerable populations like children, pregnant women, and workers at chemical facilities like the district I represent; requiring a safety finding before new chemicals are allowed to go onto the market; giving EPA new authority to order testing and ensure chemicals are safe, with a focus on the most risky chemicals.

This legislation responds to the concerns of industry to provide regulatory certainty for the job creators throughout our economy.

This legislation is a win for our congressional district in Eastside Houston and Harris County, home to one of the largest collection of chemical facilities in our country.

The reforms contained in this proposal have protections for the workers at our chemical plants, the fence line communities next to these plants, and benefit chemical manufacturers who will have certainty in a true, nationwide market.

I urge my colleagues on both sides of the aisle to join me in supporting this

amendment and help pass the first major environmental legislation in a quarter of a century.

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

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

Mr. Speaker, I want to talk a little bit about the worst of these two bills that we are considering under this rule, a bill that has very little or even perhaps no Democratic support, a bill that nearly 150 health, environmental, and fishing groups have made their opposition to. That is the Reducing Regulatory Burdens Act.

It came up last week and failed. They had rebranded it last week as the Zika Vector Control Act. Now they are removing the pretense that somehow this deals with Zika and are just renaming it the Reducing Regulatory Burdens Act. This is the insecticide Trojan horse bill.

This is really a changing game where it is the same bill week after week. It failed last week, and they are bringing it back under a different procedure this week.

Last week, apparently, they tried to use the threat that the Zika virus has posed to attack a very important law that actually protects our health and the health of our environment.

Now, of course, vector control, mosquito control, tick control, et cetera, is a very important part of managing any health crisis. But this bill really isn't about that. It is a thinly veiled ploy to undermine the Clean Water Act.

Certain pesticides are considered by the EPA to be pollutants because they are. They kill fish. They kill birds. They hurt people.

This bill would eliminate the regulatory step of requiring a permit to use these dangerous pesticides near water, effectively undercutting our primary means of protecting our water system.

Once again, if you want to use a pesticide that is considered by the EPA to be a pollutant near a water source—a river or a lake—you have to apply for a special permit. As part of that procedure, you talk about what precautions are made to make sure that it doesn't contaminate the water supply.

Under this bill, were it to become law, you would no longer have to receive a permit and it endangers the water supply.

Coming from the great State of Colorado, we always like to say that water is for fighting over. We value our precious water resources for agriculture, for our residents, and for our environment.

Anything that risks contaminating it is absolutely detrimental to our interests as a State. That is why so many sportsmen and fishermen have also come out against this bill. Zika is the enemy, not the Environmental Protection Agency. We have our priorities all mixed up.

The Centers for Disease Control is not asking for this bill. The entity charged with battling Zika is not. This

is just a backdoor attack on the EPA. Public health experts are not asking for this bill.

This bill removes the EPA's ability to regulate pesticide application that is intended to protect water supply when pesticides can, in fact, be one of the worst threats to a community's water, especially for vulnerable mothers and newborns.

Instead of wasting our time with red herrings like this bill, we should be talking about how we can support the world-class research and doctors we have and need to tackle the threat that Zika poses.

So far, Zika has been found in 30 countries throughout the Western Hemisphere. As we head into the summer months, the number of Zika cases will only increase.

Evidence has indicated Zika is linked to microcephaly, which causes a baby's head to develop smaller than normal, which is going to have devastating implications for potentially an entire generation in countries that have been hit hardest by Zika. And, of course, we fear when it reaches our shores.

There are already cases in the U.S. The CDC is monitoring almost 300 pregnant women for cases of microcephaly. We need to prepare for the eventuality that, unless we act, which this bill does not do, there will be more people infected with Zika.

We need to work quickly and aggressively to mitigate the lasting effect. The President has a proposal to do that. The President has requested \$1.9 billion to address Zika.

I am offering an amendment to bring up legislation that would provide this funding if we defeat the previous question.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up legislation that fully funds the administration's effort to mount a robust response to the growing Zika crisis instead of just paying lip service to this public health epidemic through cleverly named bills that keep changing their names and very short-term funding commitments.

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 Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I hope that we defeat the previous question. That will allow the President's proposal to actually defeat Zika to come forward for a vote.

This month I had the opportunity to visit the Division of Vector-Borne Diseases at the Centers for Disease Control in Fort Collins. Now, the Division of Vector-Borne Diseases is an HHS-funded laboratory that studies vector-borne diseases, including Zika.

They are an important part of the fight against Zika. We should be sup-

porting their efforts, not wasting precious floor time on a bill that literally endangers our waters, our environment, and our health. Adequate preparation for and, ultimately, a vaccination for Zika will save lives.

The House needs to act. We need to defeat this previous question. That is why we should be voting on comprehensive Zika legislation, not legislation that is a Trojan horse for the insecticide industry that undermines clean water and the health of our children.

Whether it is the impact on the water ecosystem or the fact that water treatment plants spend millions of dollars to clean up surface water from pesticides, Congress has an obligation to fight to keep our waters clean so that pregnant women, children, and all Americans can be healthy.

That is why we need to vote this bill down. That is why we need to defeat the previous question, to actually bring up a real Zika bill to address this public health crisis before more families are affected.

Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question and vote "no" on the rule.

I yield back the balance of my time.

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

Mr. Speaker, before I go through all of the things the gentleman from Colorado got wrong, I want to talk about what he got absolutely right, which is that this institution is going to miss Miles Lackey when he leaves at the end of this week.

We are going to have more time to talk about Miles' contribution here. But folks like Mr. Lackey we don't need here on the easy days. We need them here on the hard days. We don't need them here to get the little things done. We need them here to get the mammoth things done.

We have a lot of mammoth things left on the calendar, and it is going to be harder to make those happen in your absence, Mr. Lackey. It has been a great, great joy serving with you these 5½ years, and I appreciate your commitment to this institution.

We are what we are here, Mr. Speaker, because of the commitment of individual Members, individual staffers, individual constituents back home, who will not allow us to fail. The two bills that we have before us today are examples of exactly that.

It is hard to cut through the rhetoric sometimes, Mr. Speaker. If we went up to the gallery right now, Mr. Speaker, and polled folks about whether or not this Zika Vector Control Act had failed on the floor of the House, whether we had brought this to the floor and it had failed, I suspect everybody up there would say: Absolutely it failed. I have been hearing about it all morning.

The truth is, Mr. Speaker, because it is Washington, D.C., and sometimes the rules don't work here like they do elsewhere, the definition of failure in this House means that it got 262 votes

"yes" and 159 votes "no." Let's make that clear.

The bill that we are voting on today that is, apparently, the controversial of the two, is the one that last week when we voted on it got 262 bipartisan "yes" votes and 159 solely partisan "no" votes.

Now, why is that true, Mr. Speaker? Why can a bill get 262 votes, a clear majority of this institution, and not pass? Well, because it was on the suspension calendar, that calendar used for completely noncontroversial bills to try to move things to conclusion faster.

Why is this a completely noncontroversial bill, Mr. Speaker? Because this has been the practice of the land for three decades, because this has been the EPA's intention for three decades, because this has been the EPA's goal through its rulemaking process.

But courts being what courts are, EPA couldn't get the finality on what it wanted to do by itself, so it needs Congress' approval.

I am in favor of that, Mr. Speaker. I celebrate that. Thank goodness we finally found an Agency downtown in this one very isolated circumstance that doesn't think it can just do whatever it wants to do without Congress' approval.

I am glad we have come together today to give it that approval—262 "yes" votes, bipartisan; 159 "no" votes, partisan—to codify what has been the practice of the land in the name of safety, in the name of clean water, in the name of trying to do the very best we can for our constituents back home.

I am proud that this bill is a part of this rule today, and I hope the House will move it quickly forward.

The second bill that we are talking about, Mr. Speaker, is the TSCA bill, the Toxic Substances Control Act. TSCA is what folks call it in the industry.

Not a single amendment is being allowed today, Mr. Speaker. Why? Because we have already done the amending, because we have already done the negotiating, because we have already done the heavy lifting that was required to do what no Congress and no White House has been able to do since 1976, the heavy lifting that was started 10 years ago and folks could not get it across the finish line.

We have a group of men and women here today, Mr. Speaker, of House Members and Senate Members today, of Republicans and Democrats today, who wouldn't take "no" for an answer.

It is outrageous that we would regulate chemical safety in 2016 in the exact same way we contemplated it in 1976. It is outrageous, but it is hard. It is hard to bring people together.

It is easy to tear people apart, Mr. Speaker. I can come down here. I can lay down the fire and brimstone. We can tear folks apart. That is easy.

We have all been on those home improvement projects, Mr. Speaker. It is tearing out the drywall that is fun. Putting it back up is hard.

Today we are in the construction business. We are in the building business. We are in the bringing people together and making possible what folks thought was impossible.

My friend from Colorado is right, Mr. Speaker. Every day is not the same here in the U.S. House of Representatives. Some days are better than others. This is a good day.

This is a good day not because there is something special about this particular day of the week, Mr. Speaker, but because it is the culmination of days, weeks, months, and years of folks fighting hard for what they believed in, folks fighting hard for what their constituents sent them here to do, folks fighting hard for what they thought was right and finding a way to come together and making a difference for the American people.

□ 1315

Mr. Speaker, I hold here in my hand a Statement of Administration Policy, the President urging Congress to move this bicameral, bipartisan compromise to his desk for his signature.

This isn't a day about show; this isn't a day about politics; this isn't a day about a November election. This is a day about making a difference for the folks who sent us here. With the passage of this rule and the passage of this bill, we will do together what others found too hard to accomplish.

I am proud of that, Mr. Speaker.

MR. SESSIONS. Mr. Speaker, H. Res. 742, the special order of business governing consideration of H.R. 897, the Reducing Regulatory Burdens Act of 2015, included a prophylactic waiver of points of order against its consideration, and it was described as such in House Report 114–590. The waiver of all points of order now includes a waiver of clause 9 of rule XXI which requires the chair of each committee of initial referral to disclose a list of congressional earmarks, limited tax benefits, or limited tariff benefits to be printed in the CONGRESSIONAL RECORD prior to its consideration. However, it is important to note that one of the two committees of initial referral submitted the required statement and the second committee is expected to submit the required statement prior to the bill's consideration.

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

AN AMENDMENT TO H. RES. 742 OFFERED BY
MR. POLIS OF COLORADO

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. 5044) making supplemental appropriations for fiscal year 2016 to respond to Zika virus. 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 Appropriations and the chair and ranking minority member of the Committee on the Budget. 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. 5044.

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

The SPEAKER pro tempore (Mr. HARDY). 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. POLIS. 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.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 24, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 24, 2016 at 9:13 a.m.:

That the Senate passed S. 2613.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 5055, ENERGY AND WATER DEVELOPMENT AND RE- LATED AGENCIES APPROPRIA- TIONS ACT, 2017

Mr. NEWHOUSE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 743 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 743

Resolved, That (a) 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. 5055) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2017, and for other pur-

poses. 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 Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived.

(b) During consideration of the bill for amendment—

(1) each amendment, other than amendments provided for in paragraph (2), shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent;

(2) no pro forma amendment shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate; and

(3) the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read.

(c) When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, 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. Section 508 of H.R. 5055 shall be considered to be a spending reduction account for purposes of section 3(d) of House Resolution 5.

SEC. 3. During consideration of H.R. 5055 pursuant to this resolution, section 3304 of Senate Concurrent Resolution 11 shall not apply.

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

Mr. NEWHOUSE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from New York (Ms. SLAUGHTER), a good friend of mine from the Rules Committee, 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. NEWHOUSE. 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 Washington?

There was no objection.

Mr. NEWHOUSE. Mr. Speaker, on Monday, the Rules Committee met and reported a rule, House Resolution 743, providing for consideration of an important piece of legislation, H.R. 5055, the fiscal year 2017 Energy and Water Development Appropriations bill. The rule provides for the consideration of H.R. 5055 under a modified open rule, allowing for consideration of all amendments that are germane to the bill and conform to House rules.

Mr. Speaker, the fiscal year 2017 Energy and Water Development bill appropriates annual funding for national defense nuclear weapons activities, the Army Corps of Engineers, various programs under DOE, and other related agencies.

Over the past few years, we have seen increasing threats to our national security, historic droughts in many regions of the United States, the importance of water, and the need for greater energy security and independence. This legislation addresses all of these issues, as well as many others, and invests in efforts to promote a more secure and prosperous future for our Nation.

With ever-changing global security threats from Russia and Iran to terrorist groups like ISIL and al Qaeda, national security continues—as well it should—to be a top concern for many Americans. Now it is more vital than ever that the U.S. maintain our nuclear security preparedness, and this legislation takes important steps to ensure our nuclear weapons stockpile is modern, secure, stable, and available. It provides a total of \$12.9 billion for DOE’s nuclear weapons security programs. That is a \$327 million increase above the 2016 level. And this funding will uphold the Nation’s nuclear deterrence posture, maintain the safety and the readiness of our weapons stockpile, and allow the U.S. to meet any nuclear threat.

Mr. Speaker, H.R. 5055 also addresses the need for reliable water resources. As we have seen from the severe droughts that have impacted many Western States, accessibility to safe and adequate water resources is critical to our local communities. In my home State of Washington, we have seen historic droughts over the past few years, with serious water supply shortages that have impacted the agriculture, energy, and manufacturing sectors as well as many families and small businesses that rely on an adequate and stable supply of water.

Additionally, Washington and much of the Western United States have experienced catastrophic wildfire seasons over the last 2 years, with Washington enduring back-to-back years of record-setting fires which have been fueled by a lack of rainfall and extremely arid conditions. This legislation contains funds for the Department of the Interior and the Bureau of Reclamation to help manage, develop, and protect the water resources of Western States. Further, the measure includes several new provisions to help Western communities by providing relief from the onerous and excessive Federal regulations that have exacerbated this situation.

Energy independence is paramount to the future of our country, and the fiscal year 2017 Energy and Water Development bill invests in an all-of-the-above energy strategy in order to promote a more secure and prosperous future for our Nation. Under the legislation, funding is allocated for DOE energy programs, and the bill prioritizes