

PROVIDING FOR CONSIDERATION OF H.R. 4775, OZONE STANDARDS IMPLEMENTATION ACT OF 2016; PROVIDING FOR CONSIDERATION OF H. CON. RES. 89, EXPRESSING THE SENSE OF CONGRESS THAT A CARBON TAX WOULD BE DETRIMENTAL TO THE UNITED STATES ECONOMY; AND PROVIDING FOR CONSIDERATION OF H. CON. RES. 112, EXPRESSING THE SENSE OF CONGRESS OPPOSING THE PRESIDENT'S PROPOSED \$10 TAX ON EVERY BARREL OF OIL

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 767 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 767

*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. 4775) to facilitate efficient State implementation of ground-level ozone standards, 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 bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. 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. Upon adoption of this resolution it shall be in order to consider in the House any concurrent resolution specified in section 3 of this resolution. All points of order against consideration of each such concurrent resolution are waived. Each such con-

current resolution shall be considered as read. All points of order against provisions in each such concurrent resolution are waived. The previous question shall be considered as ordered on each such concurrent resolution and preamble to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

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

(1) The concurrent resolution (H. Con. Res. 89) expressing the sense of Congress that a carbon tax would be detrimental to the United States economy.

(2) The concurrent resolution (H. Con. Res. 112) expressing the sense of Congress opposing the President's proposed \$10 tax on every barrel of oil.

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 the gentleman from Colorado (Mr. POLIS), my good friend, 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 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 Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, House Resolution 767 provides a structured rule for the consideration of three bills. You heard the reading Clerk read them, but I will read them again: H.R. 4775, Ozone Standards Implementation Act; H. Con. Res. 89, Expressing the Sense of Congress that a Carbon Tax would be Detrimental to the United States Economy; and, H. Con. Res. 112, Expressing the Sense of Congress Opposing the President's Proposed \$10 Tax on Every Barrel of Oil.

It is a little unusual that we put three different bills into a single rule, but today has been a bit of an unusual day. It has been a bit of an unusual day.

Mr. Speaker, it is no surprise to you, standing not 3 feet from where you were just 30 minutes ago was the leader of a democracy of 1.3 billion people. That is 1.3 billion people. In the midst of his remarks, he commented on the reputation of the United States Congress, known far and wide around the globe. He commented on the comity—that is with an i-t-y, not an e-d-y—that we have been known for. And I hope this rule will be no exception, Mr. Speaker.

We are not going to agree on all the underlying bills, all the underlying policy, but what we can agree on is that this Congress needs to have its voice heard.

If we approve this rule today—and I recommend to all of my colleagues

that we do approve this rule today—we will be able to get to the underlying debate. And in the underlying debate, Mr. Speaker, we have two senses of Congress and a piece of legislation—a piece of legislation for which amendments were submitted to the Rules Committee to say that we have ideas as Members of this body about how we can improve the underlying bill.

One of them came from my friend from Colorado. I don't particularly support the idea that he is pushing, but I support his right to have the idea heard on the floor of the House. This rule makes the Polis amendment in order, along with every other non-duplicative amendment submitted. I add non-duplicative because virtually the same amendment was submitted by two different Members and we decided to debate it once instead of twice, as is customary.

We are going to disagree, but we are going to have the debate over those disagreements. And my great hope is that the work product we produce will be a stronger work product because we have had an opportunity to discuss it here on the floor. My great hope is that, after we have had a chance to perfect that work product, we will send it on to the Senate with a big bipartisan vote from both parties.

Mr. Speaker, it is easy to talk about taxes as if they don't come from someone. When we have an academic conversation about tax policy, what is the saying? Don't tax him, don't tax me, tax the man behind that tree.

I have heard folks say: You are always trying to put the tax burden on somebody else.

What the President proposed was \$10 a barrel on every barrel of oil consumed in America. Now, historically, we have had some low oil prices of late. That \$10 a barrel tax would have amounted to almost a 50 percent increase in the cost of a barrel of oil. Today it is going to be closer to a 20 percent increase in the cost of a barrel of oil.

This tax is implemented in the name of what, Mr. Speaker?

It is in the name of improving our failing infrastructure because we do need to improve our failing infrastructure. We do have to have a conversation about user fees in this country and how it is we are going to build the best logistical system the world has ever known. But that is not what this tax would do.

This is a tax that is part of what has been a long campaign against the consumption of any fossil fuels whatsoever. My great frustration, Mr. Speaker, is that if your goal is to reduce the consumption of fossil fuels, we have a lot of ways we can do that. We have a lot of very reasonable ways we can do that. And this proposal makes no effort to try to find the most efficient way to make that happen. It is a blanket \$10 a barrel tax across the board.

If you are using that barrel of oil to generate space-age plastics, Mr. Speaker, and you are going to use those

space-age plastics to build the most efficient photovoltaic cell array the world has ever known, such as is going on in my district, there is no special dispensation for you.

In the name of trying to create a better environment, we will tax the very inputs that we are encouraging folks to use in order to create a better environment. It doesn't make sense, Mr. Speaker. Folks use it as a bumper sticker line. It is a campaign year.

That uncertainty has an impact on job creation. That uncertainty has an impact on where these funds around the globe go toward trying to create a better environment for us all—where those funds land, where those jobs are created.

Today this House takes a stand. Today this House makes it clear, even in an election year, even in the uncertainty of a political season, even in this time of conflict on policy, that we can provide some certainty out there for not just the American business community, but the international business community.

There is one thing I think that we can all agree on, Mr. Speaker, and that is that America has the most productive workforce the world has ever known. If given a level playing field, there is not a single opportunity that we cannot succeed in. If we commit ourselves to it, we can succeed.

Lower-paying jobs, cheaper finger jobs are always going to go overseas, but the higher-paying jobs, the higher-skilled jobs, the energy-intensive jobs, those jobs can come here.

We have an extraordinary disadvantage in this country in that we have the single worst Tax Code in the world. The single worst. If you want to create a business, if you want to grow jobs, don't come to America is the tag line that the Tax Code suggests. No one punishes productivity more than we do in America. It is nonsense. We can absolutely fix it. The Speaker and our Ways and Means Committee chairman, the gentleman from Texas (Mr. BRADY), are working incredibly hard to make that happen.

If we go from worst to first in terms of a competitive job code, we bring more jobs to this country. But number two, we have an advantage that no one else does, in that we have gone from being worried during the Carter administration that we would exhaust all of our energy reserves to having the largest energy reserves this Nation has ever known.

If you need to produce a product that requires high energy inputs, I challenge you to find a better location than the United States of America. Those jobs are coming here. We have an advantage for job creators here. And what the President would do in his budget is to give that advantage away. And for what? Not because of a coherent energy policy designed to make the world a better place, make the environment a better environment, and the health of American citizens better, but

in the name of pursuing an agenda of no fossil fuels—nowhere, nohow.

I am glad we are down here having this conversation today, Mr. Speaker. It is one that needs to be had. It is one that has been a long time coming. But we have an opportunity today to speak with one voice in this body. I hope we will speak with one voice in supporting this rule and speak with one voice in supporting the three underlying resolutions.

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

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

Mr. Speaker, I am excited to be here today discussing one of these resolutions because it really means something when Members of Congress see fit—and I am talking about the Scalise resolution, H. Con. Res. 89, to say they are against a particular proposal.

Quite honestly, this is the first sign of momentum for a carbon tax cut. And you will hear me referring to it as a “carbon tax cut” because that is essentially what it is. It is using carbon tax revenues to cut taxes for the American people, for American businesses.

□ 1300

You don't see these kinds of resolutions if a concept and an idea don't have momentum.

For instance, my good friend from Georgia (Mr. WOODALL) has long been a champion of a proposal to create a sales tax here in our country, a national sales tax of 19, 20 percent, and he is welcome to talk about it on his own time.

But I think the gentleman will acknowledge, much to his frustration, that that idea does not seem to be advancing. Now, were it advancing, you might very well see this kind of resolution saying it is not a good idea.

There are other Republicans who have ideas to raise the tax rates on low-income Americans or Americans that are so low-income they might not even be paying a Federal income tax yet. Again, those ideas don't generally have momentum, so you don't see this kind of resolution coming forward to try to stop it.

This is the first real chance that Congress has had to vote, in many ways, on the merits of a carbon tax cut and, frankly, I think that this discussion moves us forward, because I fully expect there will be bipartisan opposition to this resolution which opposes, presumably, any and all carbon tax cuts, because what you see is, the oil and gas lobby or, I should say, some segments of the oil and gas lobby because, quite frankly, many international oil and gas industry players actually support a carbon tax cut as a way of their, therefore, getting around this kind of regulatory uncertainty that they see, like, in fact, the ozone rules itself. They see it better to simply establish a price for carbon.

But let's say, of course, there are also those in the oil and gas industry who oppose this carbon tax cut. They are trying to run a strategy to try to lock people down, where, yes, maybe, 10, 5, 12 Republicans will vote for this, whatever it is; but they want to be able to go back and remind Republicans who vote for this now that, in the future, when we are actually moving forward with the carbon tax cut proposal, that they were already on the Record in a particular way.

That means they are worried, frankly. That is what that means in “inside the Beltway speak” and “Washington speak.”

What does that mean? It means I am excited because I ran for Congress, in part, to pass a carbon tax cut.

Let me quote some of the many prominent conservatives that have caused this resolution to come forward in many ways because of the great momentum that a carbon tax cut has.

Former Secretary of State George Shultz, Secretary of State under Ronald Reagan, said: “A carbon tax, starting small and escalating to a significant level on a legislated schedule, would do the trick. I would make it revenue-neutral, returning all net funds generated to taxpayers.”

That is Former Secretary of State George Shultz.

Jerry Taylor, of the Niskanen Center, formerly of the Cato Institute, said: “A carbon tax at the levels presently discussed in Washington would not unduly burden the economy, and that's particularly true once we consider the non-climate environmental benefits that would follow from the tax as well as the benefits of any offsetting tax cuts.”

So in a moment you will hear me talk about the many benefits of this carbon tax cut concept. But what Jerry Taylor at the Niskanen Center has rightfully latched onto is the economic stimulus that can actually be generated by lowering taxes on American businesses, on job creators, on middle-income families as an offset from the carbon tax cut.

Peter Van Doren of the Cato Institute says: “The obvious lesson from economics is to increase fossil fuel prices enough through taxation to account for these effects.”

My good friend, and a personal mentor of mine, Dr. Arthur Laffer, former Economic Adviser under President Reagan, said: “When you add the national security concerns, reducing our reliance on fossil fuels becomes a no-brainer.” And he has spoken out in support of, again, a carbon tax cut.

Greg Mankiw, the former chairman of the Council of Economic Advisers to George Bush, said: “I will tell the American people that a higher tax on gasoline is better at encouraging conservation than are heavy-handed CAFE regulations,” and “I will advocate a carbon tax as the best way to control global warming.”

So, I mean, what you have is many conservatives, free market conservatives lining up to say yes, let's cut

taxes and let's do it by passing a carbon tax cut.

I have a letter, Mr. Speaker, that I will include in the RECORD, signed by Niskanen Center, Republican, American Enterprise Institute, R Street Institute, Evangelical Environmental Network in opposition to this resolution by Representative SCALISE.

In fact, in part, this letter says, which will be available in the RECORD: "The least burdensome, most straightforward, and most market-friendly means of addressing climate change is to price the risks imposed by greenhouse gas emissions via a tax."

JUNE 7, 2016.

DEAR REPRESENTATIVE, Later this week Congress will take up a resolution sponsored by Congressman Scalise (R-LA1) that expresses the sense of Congress that a carbon tax would be detrimental to the economy of the United States. We are concerned that this resolution offers a limited perspective on carbon taxes and is blind to the potential benefits of market-based climate policy. Legislation that incorporates a carbon tax could include regulatory and tax reforms to make the United States economy more competitive, innovative, and robust, benefiting both present and future generations.

We recognize that a carbon tax, like any tax, will impose economic costs. But climate change is also imposing economic costs. This resolution falls short by recognizing the cost of action without considering the cost of staying on our present policy course. There are, of course, uncertainties about the future cost of climate change and, likewise, the cost associated with a carbon tax (much would depend on program design and the pace and nature of technological progress). The need for action, however, is clear. A recent survey of economists who publish in leading peer-reviewed journals on these matters found that 93% believe that a meaningful policy response to climate change is warranted.

The least burdensome, most straightforward, and most market-friendly means of addressing climate change is to price the risks imposed by greenhouse gas emissions via a tax. This would harness price signals, rather than regulations, to guide market response. That is why carbon pricing has the support of free market economists, a majority of the global business community, and a large number of the largest multinational private oil and gas companies in the world (the corporate entities among the most directly affected by climate policy).

In reaching a conclusion, this resolution neglects the fact that the United States already has a multiplicity of carbon taxes. They are imposed, however, via dozens of federal and state regulations, are invisible to consumers, unevenly imposed across industrial sectors, unnecessarily costly, and growing in size and scope. The policy choice is not if we should price carbon emissions, but how.

Unfortunately, this resolution also fails to differentiate between proposals that would impose carbon taxes on top of existing regulations (chiefly the Obama Administration's Clean Power Plan), and proposals that would impose carbon taxes in place of those existing regulations. Conservatives and free market advocates should embrace the latter, regardless of how they view climate risks.

An economy-wide carbon tax that replaces existing regulatory interventions could reduce the cost of climate policy and deregulate the economy. It could also provide revenue to support pro-growth tax reform, in-

cluding corporate income or payroll tax cuts, which could dramatically reduce overall costs on the economy. Revenues could be applied to compensate those who suffer the most from higher energy costs; the poor, the elderly, and individuals and families living on fixed incomes.

Unfortunately, none of those options are presently available because Members of Congress have neglected opportunities to design and debate market-friendly climate policies in legislation. Instead, they have yielded authority in climate policy design to the Executive Branch. By discouraging a long-overdue discussion about sensible carbon pricing, this resolution frustrates the development of better policy.

Sincerely,

JERRY TAYLOR,  
*President, Niskanen Center.*

BOB INGLIS,  
*Executive Director, RepublicEn.*

APARNA MATHUR,  
*Resident Scholar, American Enterprise Institute.*

ELI LEHRER,  
*President, R Street Institute.*

THE REV. MITCHELL C. HESCOX,  
*President, Evangelical Environmental Network.*

ALAN VIARD,  
*Resident Scholar, American Enterprise Institute.*

Mr. POLIS. Now, let's take this back to basic economics. The Supreme Court itself said something along the lines of: power to tax is the power to destroy. That is from an early 19th century case.

Whatever you tax, you discourage in the economy. Whatever you don't tax, you encourage. So you have to look at what you tax. It's important.

Let's take an example from corporations. We tax corporate profits. Well, it turns out corporate profits are a good thing. We tax individual income. It turns out individual income is a good thing.

As policymakers, we shouldn't seek to discourage activities that help people earn money or help companies earn money. That is exactly what we want people to do. That is exactly what we want companies to do on behalf of their shareholders and their stakeholders.

So why not take something that, regardless of what with you think of the science on climate change—and that is not central to this debate on a carbon tax cut. So let's even start from the assumption that you don't want to look at the science. You have turned a blind eye to it. You are not at all concerned about climate change, or you don't think it is manmade.

Let's look, again, at carbon usage in our economy and the negative consequences of it: pollution, meaning air quality—not talking climate change—air quality, increased asthma, increased cancer risk.

National security's concerns, reliant on importing it from foreign companies or, if we are producing it domestically,

utilizing a resource that we know will return out in the very best-case scenario. It is a perishable resource. Once you take it out of the ground, it is gone.

So if we can find a way to say, you know what? We would rather have income. We would rather have Americans of all income levels—whether they are earning \$1 million a year, or \$20,000 a year—we would rather have them keep more of their hard-earned money. We would rather have companies keep more of their money to re-invest in job growth here, rather than seek elaborate tax shelters overseas, or inversions, where they move their corporate headquarters overseas because we have one of the highest corporate tax rates in the world.

The carbon tax cut presents us with the opportunity for pro-growth economic policies that make America more competitive and lets Americans keep more of their hard-earned money.

That is what excites so many free-market conservatives and centrists about the concept of a free market, of a carbon tax cut. That is, frankly, why this great momentum, coming from the American Enterprise Institute, from Cato, from R Street, all of this intellectual fuel, intellectual fuel for a carbon tax cut, that is why, sensing that, some Republicans—in this case, Mr. SCALISE and his cosponsors—have brought forward as a response. This kind of thing only happens in Washington when an idea has momentum.

I couldn't have been more excited when I was back home recently to talk to several of my constituents who are strongly dedicated to a bipartisan solution on climate change.

Former Representative Bob Inglis actually came to my district and met with me, met with some of the leadership folks in my district about how we can do something to act on climate from a Republican perspective. And I am firmly of the belief that any action has to be bipartisan.

Just looking at the way our country is balanced, I mean, certainly, if the Democrats were in a position where we had 60 seats in the Senate, where we had a majority in the House, where we had the President, I would certainly encourage us to move forward and implement some kind of carbon tax cut; but, frankly, that is an unlikely scenario.

It is more likely that a solution will require support from both sides of the aisle, so we should be talking about what it takes to get that kind of support. That is the discussion, the national discussion that former Representative Bob Inglis has dedicated himself to and, frankly, it is the fear of that kind of discussion that has led this body to consider this resolution in opposition to a carbon tax cut that, I am proud to say, will likely have bipartisan opposition; meaning, there will be some Republicans, I hope, I expect, who will stand up and say, wait a minute. I don't want to go on the

RECORD saying I am against any kind of carbon tax cut because of the great benefit that this can provide to the American economy.

As articulated by Arthur Laffer, as articulated by R Street Institute, we have the ability, with some of that revenue, to really pass pro-growth tax cuts to offset the income and the revenue from the carbon tax cut.

So the carbon tax cut can reduce the income tax for American families of all income levels. I should point out, Democrats care that lower-income families spend a higher percentage of their income on fuel, on energy. And we have, in many of the bipartisan concept proposals that are out there, tracked tax credits and tax refunds for low-income families to make sure that anything we do is not regressive. I think that is a given.

I think, obviously, in the same week that the Speaker of the House put out his agenda on poverty, I am sure that he, and many others—the last thing they would want to do is burden lower-income Americans with any kind of additional tax. So of course we want to take care of that.

The good news is that is only a small fraction of the windfall from the carbon tax cut. It also provides sufficient revenue to reduce corporate tax rates currently among the highest in the world. Of all the developed countries, a 35 percent corporate tax rate. The developed country average is somewhere in the 18, 20 percent range last time I checked. It is one of the reasons that corporations are moving overseas. They are not repatriating their earnings because they don't want to pay that American income tax.

In a global economy, you have to be competitive. It doesn't mean we have to be the lowest. That is not the value proposition of our country. We have the rule of law. We have a highly educated workforce, but we have to be competitive.

So if we can find a way to reduce that corporate tax rate to 25 percent or 20 percent—I applaud the work of Dave Camp, the former Ways and Means chair last session, who boldly proposed a 25 percent income tax rate. The President of the United States, Barack Obama, has proposed a 28 percent corporate income tax rate. So in that range. And that is, by the way, without a carbon tax cut.

With a carbon tax cut you can go lower on the corporate income tax. You could run the numbers. You could probably get down to 20 percent. Maybe you could get down to 15 percent. It depends how you allocated it. But that is one of the things that excites many of the strong free market advocates of the carbon tax cut.

You could also reduce the individual tax burden for families across all income levels, after we make darn sure that low-income families are not in any way disproportionately hit. And in no way is this regressive. In fact, Democrats' preference would prefer

this to be accretive for low-income families, and maybe that is something we can come together around. Certainly something that Democrats and Republicans care about are those who live in poverty and making sure that they, too, see the benefits of the windfall from the carbon tax cut.

But, of course, we are also very open—I am, and my Democratic colleagues—to sharing the benefits of the carbon tax cut across the entire spectrum of income earners, with a focus, we hope, on the middle class, with a focus, we hope, on those in poverty.

But it does provide an opportunity for Republicans who come to the table around climate, around carbon tax cut to say, you know what? Our priorities include job creators and others which, of course, we all care about job creators, we all care about S Corps, we all care about all those things.

It is simply a matter of priorities. You have to get the revenues to run the government from somewhere. And, separately, we have the discussion about what those appropriation levels are, how much we spend; we have that discussion.

Then we have to, somehow, get so much in taxes. It is a question of where it is from. And I believe it should be from things that, regardless of what you believe on climate, we want to discourage, rather than things that we want to encourage.

So if we can stop discouraging people from earning money and income, stop discouraging corporations from domiciling their earnings here, from growing, from expanding and, instead, discourage something that, even if you throw out the science on climate, is polluting, and runs out, and is a national security danger because it forces us to rely on other countries, that is something that we should discourage in our economy.

So, look, I join George Shultz, Jerry Taylor, Peter Van Doren, Dr. Arthur Laffer, Greg Mankiw, the American Enterprise Institute, and so many others, in saying: the time is now to have this discussion.

I applaud Representative SCALISE for initiating this discussion. This is the first sign of momentum that this bill has. And the day that this body considers a bill condemning my friend from Georgia's national sales tax proposal, I will actually start worrying about it. I will actually start saying wait a minute.

I have had many discussions with him, and I have to say it does have its merits. My issues and concerns with it have been around whether or not we can make it progressive rather than regressive and, of course, the potential for black market transactions when you have that level of taxation. It's a hypothetical discussion at this point.

But the day that a resolution comes forth like H.R. 89 around the national sales tax, I will know that that discussion has become a serious one. And I couldn't be more proud and excited

that the discussion around a national carbon tax cut has now become a serious one, a bipartisan one, an inevitable one, one that we will see through with the next President of the United States into law.

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

Mr. WOODALL. Mr. Speaker, with that level of agreement, I am prepared to tell my friend I don't have any speakers remaining, and if he is prepared to close, we will get right to the underlying bill and exercise that enthusiasm.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I don't have any other speakers, so I will be happy to close.

I yield myself the balance of my time.

Mr. Speaker, I am going to address some of the issues in this rule and in this bill. This rule, which I oppose, and I also oppose all three underlying bills, contain a number of concepts that aren't going to move forward into law, that are put there for political reasons and, again, very excitingly, the first real discussion of a national carbon tax cut, because that idea has so much bipartisan momentum from the left and the right.

□ 1315

Many of these ideas are simply recycling old ideas, the same ideas that we have discussed before, that they have complained about before that if somehow they were to make it out of the Senate, the President would veto them, particularly, obviously, one that undoes what the President wants to do, so we are simply going through the motions on a lot of these bills. The most notable one is truly the resolution on a carbon tax cut because what this means is that idea has scared enough people, presumably, who oppose it that it is moving forward in some form and some discussion, which is exciting.

So let's start with discussing the proposed \$10-per-barrel fee on oil. Now, this is, again, kind of a reaction to something that isn't happening. It is not going to change any current policy. There is no \$10-per-barrel fee on oil. This is simply about a Chamber saying that they disapprove of something that Obama has said and wants to do.

We all agree our country has serious problems with transportation and infrastructure funding. There are many different ways that we can meet the needs to fund those. If people don't like a per-barrel fee on oil, there are plenty of other ways to do it.

The real discussion should be about how do we fund transportation?

I am a fan of our bipartisan proposal to allow a repatriation window for funds that corporations have income overseas which they have not brought back to our country because they effectively face another tax with that and a one-time window for doing that. We can create a national infrastructure bank to fund infrastructure.

There are a lot of great ideas. It is clear—and this will probably pass—the Republicans don't like a \$10-per-barrel tax on oil, and that is fine.

If you don't like it, what do you like? How do we want to fund infrastructure?

This proposal and this concept came from the administration's 2017 budget. Frankly, there are probably a lot of things in the President's budget that my Republican friends don't like. They could probably run a resolution every week, they could probably run 10 resolutions every week about things that they don't like in the President's budget, but that is not really a productive use of this Chamber's time. That budget didn't pass. As far as I know, I don't think that budget got a single vote.

It wasn't put up this year because Republicans haven't even put up any budgets for our body. They haven't offered a budget. The last time the Republicans put budgets forward—and I believe the last budget, if I am not mistaken, did not contain the \$10-per-barrel tax on oil. That was in the President's budget for fiscal year 2017, but the prior one did not receive any votes from Democrats or Republicans.

So this vote, at best, is repetitive because already this body has rejected the President's last budget. Were the Republicans to bring forward the President's budget for 2017, they would likely—again, as has traditionally occurred, as far as I know, throughout history—overwhelmingly reject that budget.

So, in part, let me be clear, that is because we believe, I believe as a Member of Congress, that the budget is a legislative prerogative. I don't think there has been a Presidential budget that has been passed. In fact, I and, I think, most, if not all, of my Democratic colleagues joined in opposing the President's budget because we had our own congressional Democrats' budget. Not only one, there were two or three congressional Democratic budgets, and there were several Republican budgets, but that is a matter of legislative prerogative. We, of course, want to hear ideas from the chief executive, whoever she is, but we also want to implement our own budget because it is our prerogative as the United States Congress with the power of the purse to do that.

But considering the fact that Big Oil and Gas get huge tax subsidies every year, I personally believe that this kind of modest oil fee is a reasonable way to look at and have in the mix when talking about how to fund infrastructure.

If there are other ideas—people have talked about vehicle miles driven, people have talked about a number of different ways. There is no Republican or Democratic road. We all drive on roads. We all need roads. We all need bridges. I know the Republicans in good faith, along with Democrats, know we need to fund our national infrastructure. And if you don't like a particular way of doing that, by all means, put other ideas on the table. But it isn't produc-

tive, and it doesn't move anything forward just to take one item from a President's budget that you didn't even allow to have a vote and that very few people support and say: We don't like that.

I think we knew that before you had the vote. I think we knew you didn't like the President's budget overall. You are welcome to have the vote. It isn't going anywhere. It won't pass the Senate. It isn't a matter for actual consideration.

Next, we have the sense of Congress on the carbon tax cut. Again, I couldn't be more excited. I have been feeling from my friends on the right that there has been more interest in this concept of a carbon tax cut. I really see that coming to fruition that it is actually serious enough and mainstream enough that those who don't like the concept are putting up some kind of proactive defense. So I really think it is a matter of time. I think it is going to be great for our economy that we can cut taxes for American businesses, for job creators, and for middle income. We can make sure it is progressive and doesn't additionally burden many of those in poverty. It can be a net benefit to incomes of individuals below the poverty line. I couldn't be more excited about this concept of a carbon tax cut.

Frankly, it is the first discussion on the floor of that concept, I believe, since Republicans have taken control of this body, and I think it is a harbinger of many things to come on something that can be great and, frankly, supported from across the ideological spectrum to make our country more competitive.

Finally, I want to move to what is being called the Ozone Standards Implementation. Now, this also feels like we have been here before and done that before. It feels a little bit like *deja vu* because this bill essentially repackages a bunch of bills attacking Ozone Standards and the Clean Air Act that we have seen here and voted on over the last several years.

Again, this bill won't pass the Senate. It certainly wouldn't be signed by the President. It is not clear why we are doing it. It seems to be filling our time, but I would hope that we have more important issues to work on on behalf of the American people. Like, for instance, the public health threat of the Zika virus is one.

How about bringing up a bipartisan constitutional amendment that will help us move towards a balanced budget? How about improving our entitlement programs to make sure they are there for the next generation of Americans? How about passing comprehensive immigration reform to restore the order of law and allow 10 million people to come out of the shadows and work legally and abide by their responsibilities under American law that we can enforce going forward?

I am glad that one of my amendments to the ozone bill was made in order. My colleague from Georgia men-

tioned that. He said he may not personally be supportive of it. I will certainly be making the case for my fourth time and hoping to gain his support, because what my amendment does is it would close an oil and gas industry loophole to the Clean Air Act's aggregation requirement, which I will be talking more about today.

Currently, under current law, the oil and gas industry doesn't have to aggregate its small air pollution sources, even though cumulatively they release large amounts of air pollutants. Again, what that means in a district like mine where there are many fracking pads, there is, of course, an emission profile to each of these, but because they are small sites, they are not aggregated. We happen to have a county, Weld County, Colorado, with over 20,000 operating wells. When you get up to that kind of number, you can no longer round down to zero. In the aggregate, those wells look a lot more like a number of large, industrial plants that otherwise would fall under the Clean Air Act than simply small sites that can be rounded down to zero.

I couldn't be more excited to have the opportunity to finally bring up my amendment and hopefully adopt it so we can improve the Clean Air Act instead of many of the other provisions of the bill which would eviscerate the Clean Air Act.

This is a serious issue. Between 1980 and 2014, emissions of six air pollutants controlled by the Clean Air Act have dropped by 63 percent. That is good news. We should be doing more, not less, to encourage clean air with the long-term savings of the health of the American people as well as a reduction of costly diseases like asthma.

A recent peer-reviewed study estimates that the Clean Air Act will save more than 230,000 lives and will prevent millions of cases of respiratory problems. But instead of strengthening that act, the provisions of the bill will delay the implementation of the updated 2015 Ozone National Ambient Air Quality Standards by States, a position that is opposed by a broad coalition of scientists and many other groups that care about public health.

The connection between air quality and asthma, of which our country has 25 million sufferers, is well established. Clean air is integral to quality of life, and the last thing we should do is tear down the protections that allow kids to play outside, and that allow adults to recreate outside and enjoy themselves while continuing to breathe clean air.

Again, I am not worried about this bill becoming law. It won't pass the Senate, and, obviously, since it undoes some of President Obama's actions somehow were it to reach his desk, I am confident that it would be vetoed.

The problems go on and on with this bill. I do hope that my amendment passes. It is the first opportunity that I have had to bring forward my BREATHE Act, which has over 50 co-sponsors to actually bring it forward

for a vote and a discussion. We haven't been able to get that floor time until now.

So, all in all, I think this is an encouraging week. On the one hand, we finally get to discuss a carbon tax cut—how exciting—and also, we finally realize that people are actually worried enough about this happening that they are running some kind of proactive strategy to try to lock people down. Wow. This is happening. We are going to have a carbon tax cut sometime in the next few years. This is great.

Second, I finally get the BREATHE Act, for it is an amendment to close a loophole for oil and gas in the Clean Air Act. Again, I don't expect that to pass. I hope to have good support, and, of course, I call upon my friends to reject the underlying bills.

Instead of continuing the climate-denying work of the majority that these three bills kind of double down on, we should be focusing on creating jobs, tax reform, which, again, a carbon tax cut would allow us a foray into cutting taxes for corporations, cutting taxes for individuals. And yet again, instead of focusing on the needs of middle class Americans, instead of focusing on shrinking the deficit, instead of focusing on reducing subsidies for oil and gas companies, we are furthering our reliance on legacy, dirty energy systems to power what we hope is an economy of the future. It is the wrong way to go.

I encourage Members to look in the mirror, think about the health of themselves, of their children, of their parents, the elderly, and those most at risk and ask about how those bills would impact them. The answer is obvious, and I think that, hopefully, the answer that this body gives to these bills will also be obvious.

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 and long-term response to the growing Zika crisis.

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 urge my colleagues to vote "no" and defeat the previous question so we can focus this body on Zika and the public health risk to the American people, to vote "no" on the rule, to vote "no" on the underlying bills, but, frankly, to move forward with the door having been opened for this discussion and this coalition between left and right on a carbon tax cut proposal. Let's take advantage of that door being opened a crack, and let this be the start of something really great and the start of something really special that can help launch the next decade and more of stronger, pro-

growth economic policies letting American families keep more of their hard-earned income and encouraging American companies to stay put rather than move overseas.

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

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

Mr. Speaker, when you turn on the television, when you open up a newspaper here in the election season, it seems like folks are pretty angry. I enjoy coming down to the floor on rules to work with my friend from Colorado because I genuinely enjoy him. If we are going to get anything done across the aisle, I have no doubt that he is going to be a part of that solution. As you listen to his words down here today, you heard that. Time and time again, there are things we can do together, there are ways we can be better together. Let's find some common-sense alternatives.

Sadly, in an election year like this, oftentimes that is as far as the conversation goes. If you can't fit it on a bumper sticker, you don't have that conversation. You heard the gentleman say—for example, with respect to my own tax bill, H.R. 25, the FairTax, the most widely cosponsored fundamental tax reform bill in the entire United States Congress, he had favorable things to say. But if you look at any Democratic Congressional Campaign Committee-run advertisement, they skewer the men and women who take a chance on growing the economy with the FairTax. They skewer the men and women who take a chance on repealing the taxes, the most burdensome tax on the 80 percent of American working families who have to pay it. In the name of politics, folks don't get past the bumper sticker to the real substance.

I listen to my friend from Colorado. He gives me hope. He gives me hope that we are going to be able to get over that line, Mr. Speaker. But the truth is, we have to get past the bumper sticker slogan. My friend from Colorado is going to be part of whatever fundamental tax reform change is made here. But we ought to be able to agree that just adding more taxes to an already broken system—as the President proposes—can't possibly be the right answer.

My friend is absolutely right that we need to fund American infrastructure, and I would argue the user-fee system is the way to do it. Not repatriation, which takes completely unconnected dollars, but user fees which say that, if you are on the roads, you should pay for the roads. But that is a discussion we will have to have.

□ 1330

This is the right place to have that discussion. We will have that discussion, and I hope that we will come to a conclusion.

My friend says that job creation is job one, but supports complete re-regu-

lation of industries which is destroying jobs across this country. I will give you an example, Mr. Speaker, and it is what is so frustrating to folks back home.

Again, Prime Minister Modi stood where you are standing. He spoke for 1.3 billion people. I only speak for about 700,000. But those 700,000 open up the newspaper when they get into their office on a Monday morning, trying to comply with the National Ambient Air Quality Standards, the ozone stand-

ards. Those standards, released in 2008, finally got around to having the regulations for how to comply with them finalized in March of 2015. I will say that again. This crisis of human health that my friend has described, we identified in 2008, and the administration got around to telling folks what the rules were by March of 2015.

So all the job creators across the country began to scramble to comply with those rules, Mr. Speaker. And then in October of 2015, the administration says: Oh, no, wait. We have a much better idea. Now let's do ozone compliance, part two.

In 2008, we decided we had an issue we wanted to address. In March of 2015, the administration finally got around to addressing it. As soon as folks began to spend the money and the intellectual effort to comply with those rules, by October of that same year, the administration says: Oh, no. We have got a better idea. Scrap that.

When my friend reads from all of the conservative economists, the libertarian economists, the folks who care about making sure our limited resources do the most good for the American people and those folks support a carbon tax, they don't support a carbon tax in addition to the nonsensical regulatory structure that I have just described. They support a carbon tax instead of that structure.

If we monetize harms in this country, we don't have to have a bureaucracy that guesses at what the issues are; we don't have to have a bureaucracy that moves not in a day or a week or a month, but takes years, almost decades, to move in the marketplace. We move quickly, and we maximize. For every dollar that compliance costs, for every dollar that environmental stewardship costs, for every dollar that NG exploration costs, we get the maximum return for every American family.

I think there is a pathway there. I think there is a pathway there. But understand, more of the same won't get us there. The power to tax is the power to destroy. Stop destroying job creation. The power to tax is the power to destroy. Stop destroying American corporations and moving them overseas.

Golly, we have got opportunity to come together. I believe these three provisions before us, Mr. Speaker, are going to move us in that direction.

Make no mistake; our ozone bill that we have before us today makes every amendment from this body in order—

save one that was virtually exactly the same as another, and we didn't want to be duplicative here of the Members' time—made every discussion in order, including the one from the gentleman from Colorado.

The sense of Congress today says we don't need to tax fossil fuels as an answer to anything, that taxes are just taxes; and in the absence of a coherent environmental policy, in the absence of a coherent stewardship policy, in the absence of men and women on the ground who are balancing the needs of jobs and the needs of community, it is just a bumper sticker slogan.

Let's reject bumper sticker slogans today. Let's take advantage of the serious men and women that serve in this institution, like the gentleman from Colorado. Let's get together and do the heavy lifting.

Mr. Speaker, if it were easy, they would have done it already. The reason you are here, the reason my friend from Colorado is here, and the reason I am here is not to do the easy things; it is to do the hard things.

What I have come to know in my 5½ years in this institution is I have not met a man or a woman who is serious about making a difference for the country who wouldn't take their voting card and turn it in tomorrow if they could make that kind of lasting difference that would serve not just this generation, but generations to come. We have that opportunity, Mr. Speaker. It is an election year, but let's not squander it. We can make these next 8 months count for the American people.

Mr. Speaker, I urge strong support for the rule. I urge support for the underlying resolutions as well, but I urge strong support for the rule that will begin this discussion.

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

AN AMENDMENT TO H. RES. 767 OFFERED BY  
MR. POLIS

At the end of the resolution, add the following new sections:

SEC. 4. 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 in-

structions. 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. 5. 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 impli-

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

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

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

Mr. 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 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of the resolution, if ordered; the motion to suspend the rules and pass H.R. 3826; and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 230, nays 163, not voting 40, as follows:

[Roll No. 273]

YEAS—230

|               |                |             |
|---------------|----------------|-------------|
| Abraham       | Fleischmann    | Latta       |
| Aderholt      | Fleming        | LoBiondo    |
| Allen         | Flores         | Long        |
| Amash         | Forbes         | Loudermilk  |
| Amodei        | Fortenberry    | Love        |
| Babin         | Fox            | Lucas       |
| Barletta      | Franks (AZ)    | Luetkemeyer |
| Barr          | Frelinghuysen  | Lummis      |
| Barton        | Garrett        | MacArthur   |
| Benishek      | Gibbs          | Marchant    |
| Bilirakis     | Gibson         | Marino      |
| Bishop (MI)   | Gohmert        | Massie      |
| Bishop (UT)   | Goodlatte      | McCauley    |
| Blackburn     | Gosar          | McClintock  |
| Blum          | Gowdy          | McHenry     |
| Bost          | Granger        | McKinley    |
| Boustany      | Graves (GA)    | McMorris    |
| Brady (TX)    | Graves (LA)    | Rodgers     |
| Brat          | Graves (MO)    | McSally     |
| Bridenstine   | Griffith       | Meadows     |
| Brooks (AL)   | Grothman       | Meehan      |
| Brooks (IN)   | Guinta         | Messer      |
| Buchanan      | Guthrie        | Mica        |
| Buck          | Hanna          | Miller (MI) |
| Bucshon       | Harper         | Moolenaar   |
| Burgess       | Harris         | Mooney (WV) |
| Byrne         | Hartzler       | Mullin      |
| Calvert       | Heck (NV)      | Mulvaney    |
| Carter (GA)   | Hensarling     | Murphy (PA) |
| Carter (TX)   | Hice, Jody B.  | Neugebauer  |
| Chabot        | Hill           | Newhouse    |
| Chaffetz      | Holding        | Noem        |
| Clawson (FL)  | Hudson         | Nugent      |
| Coffman       | Huelskamp      | Nunes       |
| Cole          | Huizenga (MI)  | Olson       |
| Collins (GA)  | Hultgren       | Palazzo     |
| Collins (NY)  | Hurd (TX)      | Palmer      |
| Comstock      | Issa           | Paulsen     |
| Conaway       | Jenkins (KS)   | Pearce      |
| Cook          | Jenkins (WV)   | Perry       |
| Costello (PA) | Johnson (OH)   | Pittenger   |
| Cramer        | Johnson, Sam   | Pitts       |
| Crawford      | Jolly          | Poe (TX)    |
| Crenshaw      | Jones          | Poliquin    |
| Culberson     | Jordan         | Posey       |
| Curbelo (FL)  | Joyce          | Price, Tom  |
| Davis, Rodney | Katko          | Ratcliffe   |
| Denham        | Kelly (MS)     | Reed        |
| Dent          | Kelly (PA)     | Reichert    |
| DeSantis      | King (IA)      | Renacci     |
| DesJarlais    | King (NY)      | Ribble      |
| Diaz-Balart   | Kinzinger (IL) | Rice (SC)   |
| Dold          | Kline          | Rigell      |
| Donovan       | Knight         | Roby        |
| Duncan (SC)   | Labrador       | Roe (TN)    |
| Duncan (TN)   | LaHood         | Rogers (AL) |
| Emmer (MN)    | LaMalfa        | Rogers (KY) |
| Farenthold    | Lamborn        | Rohrabacher |
| Fitzpatrick   | Lance          | Rokita      |

Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Russell  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shinkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)

# NAYS—163

Adams  
Aguilar  
Ashford  
Bass  
Beatty  
Becerra  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Bonamici  
Boyle, Brendan F.  
Brady (PA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
DeSaulnier  
Dingell  
Doggett  
Doyle, Michael F.  
Duckworth  
Edwards  
Eshoo  
Esty

# NOT VOTING—40

Black  
Cárdenas  
Cummings  
Deutch  
Duffy  
Ellison  
Ellmers (NC)  
Engel  
Farr  
Fattah  
Fincher  
Grijalva  
Gutiérrez  
Hahn

□ 1357

Mr. COOPER changed his vote from “yea” to “nay.”

Mr. RIGELL changed his vote from “nay” to “yea.”

Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

Moore  
Moulton  
Murphy (FL)  
Napolitano  
Neal  
Nolan  
Norcross  
O'Rourke  
Pascarell  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Rangel  
Rice (NY)  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Ryan (OH)  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Scott (VA)  
Serrano  
Sewell (AL)  
Sherman  
Sinema  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

Rooney (FL)  
Royce  
Rush  
Sánchez, Linda T.  
Sanchez, Loretta  
Scott, David  
Sires  
Smith (NJ)  
Takai  
Walters, Mimi  
Wasserman  
Schultz  
Waters, Maxine

So the previous question was ordered.  
The result of the vote was announced as above recorded.

Stated for:

Mr. ROYCE. Mr. Speaker, on rollcall No. 273, I was unavoidably detained. Had I been present, I would have voted “yes.”

Mr. HURT of Virginia. Mr. Speaker, I was not present for rollcall vote No. 273 on Ordering the Previous Question on H. Res. 767, Providing for consideration of H.R. 4775, the Ozone Standards Implementation Act of 2016; providing for consideration of H. Con. Res. 89, expressing the sense of Congress that a carbon tax would be detrimental to the United States economy; and providing for consideration of H. Con. Res. 112. Had I been present, I would have voted “yea.”

The SPEAKER pro tempore. The question is on the resolution.

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

# RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 235, noes 163, not voting 35, as follows:

[Roll No. 274]

# AYES—235

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Babin  
Bartletta  
Barr  
Barton  
Benishek  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Blackburn  
Blum  
Bost  
Boustany  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Chaffetz  
Clawson (FL)  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Cook  
Costello (PA)  
Cramer  
Crawford  
Crenshaw  
Cuellar  
Culberson  
Curbelo (FL)  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Dold  
Donovan

Duncan (SC)  
Duncan (TN)  
Emmer (MN)  
Farenthold  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Garrett  
Gibbs  
Gibson  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Griffith  
Grothman  
Guinta  
Guthrie  
Hanna  
Harper  
Harris  
Hartzler  
Heck (NV)  
Hensarling  
Hice, Jody B.  
Hill  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hurd (TX)  
Hurt (VA)  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (OH)  
Johnson, Sam  
Jolly  
Jones  
Jordan  
Joyce  
Katko  
Kelly (MS)  
Kelly (PA)

Price, Tom  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce  
Russell  
Salmon  
Sanford

Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shinkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Stefanik  
Stewart  
Stivers  
Stutzman  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao

# NOES—163

Adams  
Aguilar  
Ashford  
Bass  
Beatty  
Becerra  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Bonamici  
Boyle, Brendan F.  
Brady (PA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Cooper  
Costa  
Courtney  
Crowley  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael F.  
Duckworth  
Edwards  
Engel  
Eshoo  
Esty

Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Graham  
Grayson  
Green, Al  
Hastings  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Honda  
Hoyer  
Israel  
Jackson Lee  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Levin  
Lewis  
Lipinski  
Loeb sack  
Lofgren  
Lowenthal  
Lowey  
Lujan Grisham (NM)  
Luján, Ben Ray (NM)  
Lynch  
Maloney, Carolyn  
Maloney, Sean  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney  
Meng  
Moore  
Moulton  
Murphy (FL)  
Napolitano  
Neal  
Nolan  
Norcross  
O'Rourke  
Pallone  
Pascarell  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Rangel  
Rice (NY)  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Ryan (OH)  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sherman  
Sinema  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

# NOT VOTING—35

Black  
Cárdenas  
Conyers  
Cummings  
Duffy  
Ellison  
Ellmers (NC)  
Farr  
Fattah  
Fincher  
Grijalva  
Gutiérrez

Hahn  
Hardy  
Herrera Beutler  
Huffman  
Hunter  
Jeffries  
Johnson (GA)  
Lee  
Lieu, Ted  
Luetkemeyer  
McCarthy  
Nadler  
Payne  
Pittenger  
Rush  
Sánchez, Linda T.  
Sanchez, Loretta  
Sires  
Takai  
Walters, Mimi  
Wasserman  
Schultz  
Waters, Maxine

□ 1403

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. GENE GREEN of Texas. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 274.

## MOUNT HOOD COOPER SPUR LAND EXCHANGE CLARIFICATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3826) to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. HARDY) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 401, nays 2, not voting 30, as follows:

[Roll No. 275]

YEAS—401

|                |               |                |
|----------------|---------------|----------------|
| Abraham        | Carter (TX)   | Dingell        |
| Adams          | Cartwright    | Doggett        |
| Aderholt       | Castor (FL)   | Dold           |
| Aguilar        | Castro (TX)   | Donovan        |
| Allen          | Chabot        | Doyle, Michael |
| Amodei         | Chaffetz      | F.             |
| Ashford        | Chu, Judy     | Duckworth      |
| Babin          | Cicilline     | Duncan (SC)    |
| Barletta       | Clark (MA)    | Duncan (TN)    |
| Barr           | Clarke (NY)   | Edwards        |
| Barton         | Clawson (FL)  | Emmer (MN)     |
| Bass           | Clay          | Engel          |
| Beatty         | Cleaver       | Eshoo          |
| Becerra        | Clyburn       | Esty           |
| Benishek       | Coffman       | Farenthold     |
| Bera           | Cohen         | Fitzpatrick    |
| Beyer          | Cole          | Fleischmann    |
| Bilirakis      | Collins (GA)  | Fleming        |
| Bishop (GA)    | Collins (NY)  | Flores         |
| Bishop (MI)    | Comstock      | Forbes         |
| Bishop (UT)    | Conaway       | Fortenberry    |
| Blackburn      | Connolly      | Foster         |
| Blum           | Conyers       | Fox            |
| Blumenauer     | Cook          | Frankel (FL)   |
| Bonamici       | Cooper        | Franks (AZ)    |
| Bost           | Costa         | Frelinghuysen  |
| Boustany       | Costello (PA) | Fudge          |
| Boyle, Brendan | Courtney      | Gabbard        |
| F.             | Cramer        | Galleo         |
| Brady (PA)     | Crawford      | Garamendi      |
| Brady (TX)     | Crenshaw      | Garrett        |
| Brat           | Crowley       | Gibbs          |
| Bridenstine    | Cuellar       | Gibson         |
| Brooks (AL)    | Culberson     | Gohmert        |
| Brooks (IN)    | Curbelo (FL)  | Goodlatte      |
| Brown (FL)     | Davis (CA)    | Gosar          |
| Brownley (CA)  | Davis, Danny  | Gowdy          |
| Buchanan       | Davis, Rodney | Graham         |
| Buck           | DeFazio       | Granger        |
| Bucshon        | DeGette       | Graves (GA)    |
| Burgess        | Delaney       | Graves (LA)    |
| Bustos         | DeLauro       | Graves (MO)    |
| Butterfield    | DelBene       | Grayson        |
| Byrne          | Denham        | Green, Al      |
| Calvert        | Dent          | Green, Gene    |
| Capps          | DeSantis      | Grothman       |
| Capuano        | DeSaulnier    | Guinta         |
| Carney         | DesJarlais    | Guthrie        |
| Carson (IN)    | Deutch        | Hanna          |
| Carter (GA)    | Diaz-Balart   | Harper         |

|                |               |                |
|----------------|---------------|----------------|
| Harris         | McCaul        | Ruppersberger  |
| Hartzler       | McClintock    | Rush           |
| Hastings       | McCollum      | Russell        |
| Heck (NV)      | McDermott     | Ryan (OH)      |
| Heck (WA)      | McGovern      | Salmon         |
| Hensarling     | McHenry       | Sanford        |
| Hice, Jody B.  | McKinley      | Sarbanes       |
| Higgins        | McMorris      | Scalise        |
| Hill           | Rodgers       | Schakowsky     |
| Himes          | McNerney      | Schiff         |
| Hinojosa       | McSally       | Schrader       |
| Holding        | Meadows       | Schweikert     |
| Honda          | Meehan        | Scott (VA)     |
| Hoyer          | Meeks         | Scott, Austin  |
| Hudson         | Meng          | Scott, David   |
| Huelskamp      | Messer        | Sensenbrenner  |
| Huizenga (MI)  | Mica          | Serrano        |
| Hultgren       | Miller (FL)   | Sessions       |
| Hurd (TX)      | Miller (MI)   | Sewell (AL)    |
| Hurt (VA)      | Moolenaar     | Sherman        |
| Israel         | Mooney (WV)   | Shimkus        |
| Issa           | Moore         | Shuster        |
| Jackson Lee    | Moulton       | Simpson        |
| Jenkins (KS)   | Mullin        | Sinema         |
| Jenkins (WV)   | Mulvaney      | Slaughter      |
| Johnson (GA)   | Murphy (FL)   | Smith (MO)     |
| Johnson (OH)   | Murphy (PA)   | Smith (NE)     |
| Johnson, E. B. | Napolitano    | Smith (NJ)     |
| Johnson, Sam   | Neal          | Smith (TX)     |
| Jolly          | Neugebauer    | Smith (WA)     |
| Jones          | Newhouse      | Speier         |
| Jordan         | Noem          | Stefanik       |
| Joyce          | Nolan         | Stewart        |
| Kaptur         | Norcoss       | Stivers        |
| Katko          | Nugent        | Stutzman       |
| Keating        | Nunes         | Swalwell (CA)  |
| Kelly (IL)     | O'Rourke      | Takano         |
| Kelly (MS)     | Olson         | Thompson (CA)  |
| Kelly (PA)     | Palazzo       | Thompson (MS)  |
| Kildee         | Pallone       | Thompson (PA)  |
| Kilmer         | Palmer        | Thornberry     |
| Kind           | Pascarella    | Tiberi         |
| King (IA)      | Paulsen       | Tipton         |
| King (NY)      | Pearce        | Titus          |
| Kinzinger (IL) | Pelosi        | Tonko          |
| Kirkpatrick    | Perlmutter    | Torres         |
| Kline          | Perry         | Trott          |
| Knight         | Peters        | Tsongas        |
| Kuster         | Peterson      | Turner         |
| Labrador       | Pingree       | Upton          |
| LaHood         | Pittenger     | Valadao        |
| LaMalfa        | Pitts         | Van Hollen     |
| Lamborn        | Pocan         | Vargas         |
| Lance          | Poe (TX)      | Veasey         |
| Langevin       | Poliquin      | Vela           |
| Larsen (WA)    | Polis         | Velázquez      |
| Larson (CT)    | Pompeo        | Visclosky      |
| Latta          | Pompeo        | Wagner         |
| Lawrence       | Price (NC)    | Walberg        |
| Levin          | Price, Tom    | Walden         |
| Lewis          | Quigley       | Walker         |
| Lipinski       | Rangel        | Walorski       |
| LoBiondo       | Ratcliffe     | Walz           |
| Loeb sack      | Reed          | Watson Coleman |
| Loftgren       | Reichert      | Weber (TX)     |
| Long           | Renacci       | Webster (FL)   |
| Loudermilk     | Ribble        | Welch          |
| Love           | Rice (NY)     | Wenstrup       |
| Lowenthal      | Rice (SC)     | Westerman      |
| Lowe           | Richmond      | Westmoreland   |
| Lucas          | Rigell        | Whitfield      |
| Luetkemeyer    | Roby          | Williams       |
| Lujan Grisham  | Roe (TN)      | Wilson (FL)    |
| (NM)           | Rogers (AL)   | Wilson (SC)    |
| Lujan, Ben Ray | Rogers (KY)   | Wittman        |
| (NM)           | Rohrabacher   | Womack         |
| Lummis         | Rokita        | Woodall        |
| Lynch          | Rooney (FL)   | Yarmuth        |
| MacArthur      | Ros-Lehtinen  | Yoder          |
| Maloney        | Roskam        | Yoho           |
| Carolyn        | Ross          | Young (AK)     |
| Maloney, Sean  | Rothfus       | Young (IA)     |
| Marchant       | Rouzer        | Young (IN)     |
| Marino         | Roybal-Allard | Zeldin         |
| Massie         | Royce         | Zinke          |
| Matsui         | Ruiz          |                |

NAYS—2

Griffith  
NOT VOTING—30

|              |                 |
|--------------|-----------------|
| Amash        | Fincher         |
| Black        | Grijalva        |
| Cárdenas     | Gutiérrez       |
| Cummings     | Hahn            |
| Duffy        | Hardy           |
| Ellison      | Herrera Beutler |
| Elmiers (NC) | Huffman         |
| Farr         | Hunter          |
| Fattah       |                 |

|                  |               |                |
|------------------|---------------|----------------|
| Sánchez, Linda   | Sires         | Wasserman      |
| T.               | Takai         | Schultz        |
| Sanchez, Loretta | Walters, Mimi | Waters, Maxine |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia) (during the vote). There are 2 minutes remaining.

□ 1411

Ms. VELÁZQUEZ changed her vote from “nay” to “yea.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Wednesday, June 8, 2016. Had I been present, I would have voted “nay” on rollcall votes 273 and 274, and “yea” on rollcall vote 275.

## THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

□ 1415

## OZONE STANDARDS IMPLEMENTATION ACT OF 2016

GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill, H.R. 4775.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 767 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 4775.

The Chair appoints the gentleman from Georgia (Mr. JODY B. HICE) to preside over the Committee of the Whole.

□ 1415

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4775) to