

where there is smoke, there is fire. Mr. Speaker, I am here to tell you that there is a fire threatening our Republic.

Mr. Speaker, make no mistake about it: Russia attacked our country when it tried to meddle in our elections. But we have a Commander in Chief who will barely acknowledge this act, much less condemn it.

Mr. Speaker, we hear tough talk from the President when it comes to Iran, North Korea, and China; but when Russia moves missiles in violation of treaty obligations, when a Russian spy ship patrols just outside our coastal waters, we hear crickets. As evidence mounts that Russia is interfering with the democracies of Europe, we hear crickets. Indeed, Mr. Speaker, this President sees no moral difference between our democracy and the Putin regime.

Mr. Speaker, there is smoke; there is fire. Our Republic is being threatened. We are the first responders, and we can only put this fire out with the truth. We need to establish an independent commission to investigate the Trump-Russian ties and find our way to the truth.

COMMEMORATING 20 YEARS OF THE GLUCK FELLOWS PROGRAMS OF THE ARTS

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

Mr. TAKANO. Mr. Speaker, I rise today to commemorate 20 years of the Gluck Fellows Program of the Arts at the University of California, Riverside.

Since 1996, the Max H. Gluck Foundation has supported undergraduate and graduate students as they bring innovative arts programming to schools, libraries, and community centers in my district.

The Gluck Fellows Program of the Arts has provided students, families, and other community members with the opportunity to experience art, music, dance, theater, and art history through workshops and performances. Over the past 20 years, more than 300,000 Inland Empire residents have benefited from this program.

I congratulate UCR's Chancellor Kim Wilcox; Dean of Humanities, Arts and Social Sciences Milagros Pena; Gluck Fellows Director Erika Suderburg; and especially the Max H. Gluck Foundation and its chair, Dr. Jon Kaswick.

I wish continued success to the Gluck Fellows Program of the Arts at the University of California, Riverside.

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, March 29, 2017.

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 March 29, 2017, at 9:28 a.m.:

Appointments:
Advisory Committee on the Records of Congress.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 1431, EPA SCIENCE ADVISORY BOARD REFORM ACT OF 2017

Mr. NEWHOUSE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 233 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 233

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1431) to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Science, Space, and Technology; and (2) one motion to recommit.

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 Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. 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 Tuesday, the House Rules Committee met and reported a rule, House Resolution 233, providing for consideration of H.R. 1431, the EPA Science Advisory Board Reform Act of 2017. This legislation will reform the Environmental Protection Agency, or the EPA, Science Advisory Board to ensure that it is unbiased and transparent in performing its duties.

The SAB, the Science Advisory Board, was first established by Congress in 1978 and plays a vital role in reviewing the scientific foundation of EPA's regulatory decisions, while also providing critical advice to us here in Congress as well as the Agency. The information it reviews is used to justify important policy decisions at the EPA and should be held to the highest standards because it is imperative that the regulated community and the public can have confidence that EPA decisions are grounded, that science should be both reproducible and transparent.

However, shortcomings with the current process have arisen in recent years, including limited public participation, EPA interference with expert advice, potential conflicts of interest, and serious deficiencies with the process to select the board members. Far too often, the SAB's authority has been used by the EPA to silence dissenting scientific views and opinions, rather than promoting the impartiality and fairness that is the cornerstone of unbiased scientific advice.

□ 1230

At its inception, the SAB was intended to function independently in order to provide candid advice and guidance to the EPA. Yet, if the Agency undermines this autonomy, then the SAB's value to both the EPA and Congress, I believe, is severely diminished.

Mr. Speaker, to address these issues, H.R. 1431 would reform the SAB and reaffirm its independence so the public and regulated entities can have that confidence that sound science is driving policy decisions at the EPA.

The bill makes several important reforms to the SAB, such as requiring board members to be qualified experts; disclosing conflicts of interest and sources of bias; and ensuring that the views of members, including the dissenting members, are available to the public. It provides the public with the opportunity to participate in the advisory activities of the board and gives people the ability to view the agency's responses to issues raised by the SAB.

Additionally, the bill requires that at least 10 percent of the board is comprised of State, local, and tribal experts; that board members do not participate in advisory activities that involve reviews or evaluations of their own work; and that EPA publicly disclose all board member recusals; and that comments are published in the Federal Register.

So these reforms will improve the existing regulatory process, while also reinvigorating the scientific judgements that are often directly linked to regulatory decisions.

The EPA relies on SAB reviews and studies to support new regulations, new standards, assessments, and other Agency actions. A transparent and accountable Science Advisory Board is critically important and can assure the public that the data that Federal agencies rely on is scientifically sound and unbiased.

This legislation would reinforce that the SAB process is a tool to help policymakers with complex issues, while also preventing the EPA from taking actions that impede the free flow of impartial scientific advice.

Mr. Speaker, this rule provides for consideration of an important measure that will improve the peer review process and ensure sound science is used in the Federal rulemaking process. It is a simple, relatively straightforward bill that will make the SAB more consistent, transparent, and accountable to our bosses, the American people.

Transparency in regulations based on the highest quality science should not be a partisan issue. In the 114th Congress, a nearly identical version of this bill was passed by the House, I am glad to say, with bipartisan support. I hope we can join together again to pass this important bill with support from Members of both sides of the aisle, from both parties.

I urge my colleagues to support this rule as well as the underlying legislation.

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

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

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

Mr. MCGOVERN. I thank the gentleman from Washington (Mr. NEWHOUSE), my good friend, for yielding me the customary 30 minutes.

Mr. Speaker, I rise in strong opposition to this rule and the underlying legislation. This is the 23rd closed rule of this short, new Congress. Both Democrats and Republicans have been denied the opportunity to amend nearly 60 percent of the legislation that has been brought to the floor through the House Rules Committee.

This effort by Speaker RYAN and the Republican leadership to halt a fair and open debate in the people's House is outrageous. We are supposed to be a deliberative body where both parties get to deliberate. These Putinesque rules that shut down all debate need to stop. This isn't the Kremlin.

You know, I think Representative ROONEY, a Republican, said it best last week: "I've been in this job for 8 years, and I'm wracking my brain to think of one thing our party has done that's been something positive, that's been something other than stopping something else from happening."

Well, Mr. Speaker, today we are considering a piece of legislation that seeks to prevent the EPA from protecting public health and the environment—not exactly positive.

This bill was brought to the Rules Committee in an emergency meeting last night. And let me emphasize that, an emergency meeting.

Mr. Speaker, I think the American people have a pretty good idea of what is and what isn't an emergency. A tree falls on your house, that is an emergency. Your rose bush needs pruning,

not an emergency. Timmy fell down a well, that is an emergency. Timmy might stub his toe, not an emergency.

On April 28, the government will run out of money. That is an emergency, even if it is self-inflicted by the Republicans. And we have no shortage of other actual emergencies that we should be dealing with: a devastating opioid epidemic, crumbling roads and bridges, mounting evidence of Russian meddling in our election, and people being killed every day due to gun violence, not to mention Flint, Michigan, is still dealing with the residual health effects of toxically polluted water.

These are just a few examples of actual emergencies that Congress is doing nothing to address. Instead, the underlying bill, the EPA Science Advisory Board Reform Act, is brought to the Rules Committee and to the House floor as an emergency piece of legislation.

As we learned last week, the American people are paying attention to what we do here. They are smart enough to know what an emergency is. And this bill isn't addressing an emergency, Mr. Speaker; it is creating one.

The Science Advisory Board at the EPA provides a way for the Agency to use sound, independent, and objective scientific data to help make their decisions. Science, Mr. Speaker—you may have heard of it—is kind of a big deal.

But this bill won't help the EPA to include more scientists in the decisions. It will force them to include people with potential financial conflicts of interest on the Science Advisory Board so long as they disclose them. I mean, do we really want people on our advisory boards if they could profit from a decision that they are about to make? There is nothing scientific about corruption, and this is exactly what this bill will open the door to.

This bill also limits the participation of scientific experts at the EPA, leading to a disproportionate representation of big business and corporate special interests. Are these really the people we want making decisions about the health of our kids and the policies that should be protecting our environment? Is that what we want?

So what is this bill really about? Well, it is about allowing the Republicans' big corporate cronies a direct route to the decisionmakers at the EPA. It is about disrupting the EPA's ability to fairly enforce the rules, hold corporate polluters accountable, and protect our health. It is about undermining scientific fact with political cronyism.

Now, maybe things have changed lately. It has been a while since my last science class. But I am pretty sure there is no step in the scientific method that says consult corporate cronies. The truth is that this Republican majority wants the EPA to base their decisions on fiction, not fact.

Americans can't afford to have the EPA run by people who live in a fantasyland where facts and science

don't matter. Our environment and the health of our families are too important.

This law is going to have real-life consequences. It undermines science, hurts the environment, and it helps polluters. We need to allow the EPA to make decisions based on fact. We need to ensure that EPA is always free from financial conflicts, not making decisions based on panels filled with industry insiders like the ones that this bill would create.

Mr. Speaker, this bill defies logic. It defies reason. It defies sanity. It will hurt the people who sent us here, and it will help polluters. Republicans are putting corporate greed ahead of public health, and the American people will be the ones who will suffer. Americans deserve better. We should be fighting on behalf of the American people.

Mr. Speaker, let me tell my Republican friends what I tell first graders that I talk to back in my district in Massachusetts when I go to visit their schools. I usually begin by telling them that science is important. It is a big deal, and it is such a big deal that all our schools teach it. And if you do your homework and if you study hard and you pay attention, you might grow up someday to become a scientist, and scientists are people who dedicate their lives to protecting the health and well-being of people all over the world, and they dedicate their lives to protecting our planet.

Scientists tell us things that are really important. They tell us things like climate change is caused by greenhouse gasses, something my Republican friends continually deny. They tell us that polluted air can give children asthma. They tell us that lead in children's drinking water causes learning problems. They tell us pesticide exposure can cause cancer. These are important things.

We all learned in school, thanks to science, that the Earth orbits around the Sun, that gravity causes this pen to fall when I drop it, that plants turn sunshine into energy, that dinosaurs roamed the Earth millions of years ago.

Mr. Speaker, the first graders I talk to, they get it. They understand the importance of science. Unfortunately, many of my colleagues in this Chamber do not. And I would bet that those first graders understand the importance of making sure that it is scientists who sit on scientific advisory boards and not corporate cronies.

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

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

I appreciate the gentleman's comments. In fact, some of those comments he was making I thought he was quoting me, or at least quoting parts of my own speech.

Certainly, I agree that the decisions made by the Environmental Protection Agency should be based on fact, not by industry insiders, and that is exactly

what this legislation would do. I can't think of any instance where asking for more full public participation as well as transparency is not a positive step, and that is exactly what we are trying to do here.

In reference to the number of closed rules that we have had this year, let me just remind the good gentleman that 15 out of the 23 closed rules were actually the Congressional Review Act, the CRAs that we have been working on. They are prescribed to be a closed rule. That is the nature of a CRA.

So I would think that, in the good gentleman's estimation of this bill and all the negative things that could potentially come of it, that we should be able to come to some bipartisan agreement on this, especially considering the political climate that we are in today, the occupant of the White House today, certainly in Republican hands, and I would think our friends on the Democratic side of the aisle would be very interested in ensuring an unbiased source of information that comes from the SAB to give to the EPA in making their important decisions. This, I would think, would be a good idea for both sides of the aisle, no matter who is in the White House, and I would agree that it is.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. WEBER), my good friend.

Mr. WEBER of Texas. Mr. Speaker, I do rise today in support of H.R. 1430, and I appreciate the primer that we were just given from the other side on what an emergency is.

I would remind my good friend on the other side that, on November 8, 2016, the Americans stood up and said: We have an emergency. We need to change directions. And they elected Donald Trump to be President to do just that. So that is a good reminder.

Mr. Speaker, our constituents have a right to know whether or not EPA regulations are based on sound science and if they benefit the American people.

Keeping in the vein with what I just said, we have a better way. Speaker PAUL RYAN has put out his plan for A Better Way. Donald Trump has been elected for that better way. The American people deserve a better way.

This is called the HONEST Act, which I am proud to be a cosponsor of. It is a better way. It is simple and straightforward. It is a message to government bureaucrats they cannot propose costly new regulations without providing sufficient transparency. As my good friend from Washington said: Why would anybody be opposed to transparency and a right for the American public to know?

Opponents of this bill apparently think Americans do not deserve to know the truth, not to mention the "science" behind EPA burdensome regulations.

□ 1245

Trust me when I say Americans deserve the truth from the very start.

Mr. Speaker, EPA's regulatory agenda should not require secret science, much less 30-year-old data, in order to sell it to the American people. The other side likes to claim that there are a lot of scientists behind this climate change theory, but they won't release that data.

So what are they hiding behind?

By the way, I remember Mark Twain said that sometimes the majority simply means that all the fools are on one side.

Mr. Speaker, it is long past time for Congress to increase the transparency of the EPA. This HONEST Act will do exactly that by prohibiting the EPA from proposing or finalizing regulations based upon data that is either outdated, it is not transparent, nor is it publicly available for review.

Mr. Speaker, I thank Chairman SMITH for bringing this important legislation to the floor today, and I thank the fine gentleman from Washington State (Mr. NEWHOUSE).

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

Mr. Speaker, I thank the gentleman from Texas for his speech, but it was on a different bill than the one we are talking about right now. That was a rule we debated yesterday. The rule passed, but we are going to be talking about it today. So I was a little confused trying to follow the gentleman.

I also want to remind the gentleman that he mentioned Donald Trump's election. I will remind him that less than half of the people of the United States actually voted for him. Hillary won the popular vote by close to 3 million. The gentleman keeps on talking about a better way, a better way, a better way.

Was that what was on display last week when we spent 15 hours in the Rules Committee debating a repeal-and-replace bill on health care that only 16 percent of the American people thought was worth it and that had to be pulled because it was such a lousy process?

If that is the better way, I don't think people want anything to do with it.

I would say to the gentleman, my colleague, Mr. NEWHOUSE, who is talking about trying to justify the closed process and saying that some of these bills were CRAs, just repealing regulations, well, my friends chose to bring up these repeal regulation bills under a very closed process. Interestingly enough, these rules were made under a very open process where agencies solicited input from stakeholders and from the public, and it was all out in the open. But the Republicans chose to bring measures to the floor to repeal regulations in such a way that that agency can't even go back and revisit the same subject of that particular regulation.

I think people need to understand this. I don't think I can ever recall a more closed, authoritarian process than the one that we have experienced

under this leadership. This is not only something that I know Democrats have a problem with; I know a lot of Republicans do, too, because what this closed process means is that anybody with a good idea can't bring it to the floor and can't have an opportunity to debate the issue.

It was funny last night in the Rules Committee, my colleague from Texas (Mr. BURGESS) was kind of crowing about the fact that no amendments were brought before the Rules Committee. I reminded him the reason why no amendments were brought before the Rules Committee is because this bill was noticed as an emergency and there was no call for amendments. Members weren't asked to bring their ideas or their amendments to the Rules Committee. This would be laughable if it weren't so tragic. I would say to my colleagues that it is this same closed process that brought us this disastrous health repeal bill that my friends had to pull last week that is on display today. When you have a lousy process, you end up with lousy legislation.

This is the people's House. We are supposed to deliberate, and here is a radical idea: let us deliberate a little bit. Open it up. Open it up a little bit. Let there be some amendments on both sides of the aisle.

Mr. Speaker, I ask my colleagues to vote "no" on the previous question. If we defeat the previous question, I will bring to the floor an amendment, which I am going to talk about right now because, Mr. Speaker, we are deeply concerned by reports from our intelligence community regarding Russian interference in last year's election and even more troubled by FBI Director Comey's sworn testimony that the FBI is now investigating the possibility of collusion between members of President Trump's campaign team and Russia.

Mr. Speaker, the legitimacy of our electoral system is at stake, and it is time that this Republican-controlled Congress does its job and gets to the bottom of this. Unfortunately, recent actions by the House Intelligence Committee chairman have left many Members from both sides of the aisle convinced that the committee will not be able to conduct an impartial investigation of this crucial matter of national security.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up Representative SWALWELL's and Representative CUMMINGS' bill, which would create a bipartisan commission to investigate Russian interference in our 2016 election. For the life of me I don't know why this is controversial. My colleagues on the Republican side should be just as interested in getting to the truth and getting to the truth in a way that has credibility with the American people as we on the Democratic side do.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Virginia (Mr. CONNOLLY) to discuss our proposal.

Mr. CONNOLLY. Mr. Speaker, I thank my distinguished friend from Massachusetts, and I also thank his able staff for the incredible work they are doing.

Mr. Speaker, I want to talk about the bill before us, the EPA Science Advisory Board, but also I want to talk about Mr. MCGOVERN's amendment on Russia.

They actually are linked because the last time a great power decided to deny science-based policy and to actually dictate politically what was science and what wasn't was Stalin's Soviet Russia. A famous scientist named Lysenko turned out to be a fraud and a con artist. But for 30 years, his thinking dominated Soviet science to the detriment of the Soviet people. It actually led to a famine in Ukraine, killing millions of people because he insisted on his political brand of agricultural science, which wasn't science at all.

My friend from Massachusetts I think is wrong when he asks: What is the emergency? I don't think he understands that, from the Republican point of view, science mixed with public policy is an emergency. We have to do something about it.

The world was created 4,273 years ago and carbon dating is a fraud. As your coastal areas are under water, think about the comfort of Republican philosophy: it is just a theory, and disputable at that. By the way, let's defund any research on it. Let's back out of our commitments. Let's be the only major nation in the world that denies that climate change is real and is going to affect us in almost every aspect of our lives moving forward, including our children and their children.

We owe them better. That is the emergency. God forbid the Environmental Protection Agency have policies and regulations that are science-based. God forbid we look at empirical research to guide us in making thoughtful policies to protect the public. God forbid we look at the science of lead and other toxins in water supplies, let's save \$7 million in Flint, Michigan. Just today they announced a \$100 million settlement. That anti-scientific decision, that political decision, put the people of Flint, Michigan, at risk, and it is now going to cost \$100 million to fix.

That is the consequences of an anti-empirical philosophy, and that will be the consequence of polluting this board with corporations and corporate rep-

resentatives who are guilty of polluting in the first place. Of course, they won't welcome regulation of their own respective industries, and the Republicans are their enablers. That is what is going to happen if this bill passes.

With respect to Russia, each day there are more troubling revelations that make clear that senior-level Trump officials had undisclosed contact with Russian officials about the campaign, perhaps, the transition, and about sanctions. National Security Adviser Michael Flynn was fired after only 3 weeks on the job for lying about this very thing to the Vice President of the United States. Attorney General Jeff Sessions had to recuse himself from any Russian probe because of compromised testimony at his nomination hearing. FBI Director James Comey confirmed an investigation into the Trump campaign's possible collusion with Russian officials.

What has been the most visible reaction from my friends on the other side of the aisle in this Congress?

The frenetic behavior of the Intelligence Committee chairman that has seemingly compromised the committee's ability to investigate.

This ought not to be about partisan politics. It ought to be about restoring congressional independence and integrity, one of our most cherished democratic institutions; in fact, the most cherished, a free election without foreign interference.

So I support Mr. MCGOVERN's potential amendment. I will also oppose the previous question.

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

As we get back to the bill at hand, I think it is important that there are a lot of important topics out there that people want to touch on, and that is all well and good. Just like my friend from Texas, a fine member of the Science, Space, and Technology Committee, brought up other bills that are important and that relate to what we are talking about here today, and I think that is important as well.

But I think I see an underlying theme here. We all agree on one thing: we want the EPA to use science. We want public participation. We want and we need transparency.

This is certainly a positive step in a bill, Mr. Speaker, that went through regular order, that was introduced with bipartisan support, that went through the markup process, and that was reported out without amendments, something that this body in the last Congress passed, I believe, in a bipartisan fashion.

Just to underscore the importance of taking this important step—and let me underscore again—no matter which side of the aisle you are on, it is important that we do this because of who you may think is the right person or the wrong person occupying the White House, it is important that the EPA has an unbiased source of information in order for it to make its decisions.

Mr. Speaker, I include in the RECORD a news release from the American Chemistry Council.

[From the American Chemistry Council, March 9, 2017]

ACC SUPPORTS LEGISLATIVE EFFORTS TO IMPROVE EPA SCIENCE

WASHINGTON.—The American Chemistry Council (ACC) issued the following statement in support of the H.R. 1430, the "Honest and Open New EPA Science Treatment Act of 2017" (or The HONEST Act) introduced by Chairman Lamar Smith (R-TX) and H.R. 1431 "EPA Science Advisory Board Reform Act of 2017," introduced by Congressman Frank Lucas (R-OK).

"Consistency and transparency are key to the regulatory certainty our industry needs to grow and create jobs. In some instances, EPA has fallen short of employing the highest-quality, best-available science in their regulatory decision making.

"It is critical that the regulated community and the public have confidence that decisions reached by EPA are grounded in transparent and reproducible science. By ensuring that the EPA utilizes high quality science and shares underlying data used to reach decisions, the HONEST Act can help foster a regulatory environment that will allow the U.S. business of chemistry to continue to develop safe, innovative products that Americans depend on in their everyday lives.

"The Science Advisory Board Reform Act would improve the peer review process—a critical component of the scientific process used by EPA in their regulatory decisions about potential risks to human health or the environment. The Act would make peer reviewers accountable for responding to public comment, strengthen policies to address conflicts of interest, ensure engagement of a wide range of perspectives of qualified scientific experts in EPA's scientific peer review panels and increase transparency in peer review reports.

"We commend Chairman Smith and Congressman Lucas for their leadership and commitment to advance these important issues."

Mr. NEWHOUSE. Mr. Speaker, I would like to read an excerpt from the American Chemistry Council letter:

"The Science Advisory Board Reform Act would improve the peer review process—a critical component of the scientific process used by EPA in their regulatory decisions about potential risks to human health or the environment. The Act would make peer reviewers accountable for responding to public comment, strengthen policies to address conflicts of interest, ensure engagement of a wide range of perspectives of qualified scientific experts in EPA's scientific peer review panels and increase transparency in peer review reports."

That is a strong statement.

I also include in the RECORD a letter from the American Farm Bureau Federation.

AMERICAN FARM
BUREAU FEDERATION,
Washington, DC, March 8, 2017.

Hon. LAMAR SMITH,
Chair, House Committee on Science, Space and
Technology, Washington, DC.

Hon. EDDIE BERNICE JOHNSON,
Ranking Member, House Committee on Science,
Space and Technology, Washington, DC.

DEAR CHAIRMAN SMITH AND RANKING MEMBER JOHNSON: Later this week, the House

Science, Space and Technology Committee will consider legislation to provide for Scientific Advisory Board (SAB) member qualifications and public participation. The American Farm Bureau strongly supports this legislation and pledges our commitment to work with the committee in pressing for its swift consideration.

This legislation is a priority because it reforms the SAB process by strengthening public participation, improving the process of selecting expert advisors, and expanding the overall transparency of the SAB. While the SAB should be a critical part of the scientific foundation of the U.S. Environmental Protection Agency's (EPA) regulatory process, EPA has systematically used its authority to silence dissenting scientific experts. Rather than promote fairness, transparency and independence to ensure unbiased scientific advice, EPA routinely has ignored its own Peer Review Handbook and silenced dissenting voices on expert panels.

This legislation seeks to reinforce the SAB process as a tool that can help policymakers with complex issues while preventing EPA from muzzling impartial scientific advice. This legislation deserves strong, bipartisan support. We applaud your leadership in this effort and will work with you to ensure passage.

Sincerely,

ZIPPY DUVAL,
President.

Mr. NEWHOUSE. Mr. Speaker, the American Farm Bureau Federation states:

"This legislation seeks to reinforce the SAB process as a tool that can help policymakers with complex issues while preventing EPA from muzzling impartial scientific advice. This legislation deserves strong, bipartisan support. We applaud your leadership in this effort and will work with you to ensure passage."

These are two bipartisan groups looking out for the best interests of the citizens of our great country, so I think they make strong statements in support of this legislation.

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

Mr. MCGOVERN. Mr. Speaker, may I inquire from the gentleman how many more speakers he has?

Mr. NEWHOUSE. I think we have run to the end of our speakers.

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

Mr. Speaker, let me first remind Members that we are asking for a "no" vote on the previous question. If the previous question is defeated, we will bring up an amendment that will allow the bill that Representative SWALWELL and Representative CUMMINGS have introduced, which would create a bipartisan commission to investigate Russian interference in our 2016 election.

This is the appropriate place to do it because we are blocked in every other way in terms of trying to bring this to the floor, and the Rules Committee is a committee that prioritizes legislation that helps set the agenda, so this ought to be part of it. This anti-science bill can still be debated and voted on. It won't derail that, but it will allow the House to be able to deliberate on this bill that would create a bipartisan commission to investigate Russian interference in the 2016 election.

□ 1300

This is a big deal. The American people deserve the truth. My Republican colleagues ought to get out of the way and allow this commission to be created so that the American people can actually have some trust in a process that determines the extent to which the Russians interfered in our election.

Again, I would urge a "no" vote on the previous question.

With regard to the rule that we are debating today, I would again remind everybody that this is a closed rule. There are some Members of this House who have never seen an open rule, ever. I hope that changes because I do think that, again, there ought to be more deliberation here, there ought to be more back and forth. Even ideas that I strongly disagree with on the Republican side, they ought to have the opportunity to come here and be able to present them and we can vote up or down on them.

I think we need to break this pattern of shutting the process down. It is what resulted in the debacle last week with your horrible healthcare bill, the one that only 16 percent of the American people supported. It is pretty hard to get that low, but my friends managed to be able to set a new record on unpopular legislation—so bad that it had to be withdrawn from the floor for consideration.

I would argue it is the closed, authoritarian-like process that produced a lousy bill. If my friends continue to adhere to this closed process, they are going to get more lousy pieces of legislation that are going to do great harm to the American people brought to this floor.

This bill that is before us today, again, has been brought to the floor under this expedited procedure called an emergency provision. It is just being rushed to the floor as an emergency.

This is not an emergency. The opioid crisis is an emergency; the crisis in Flint, Michigan, is an emergency; our crumbling infrastructure is an emergency. There are deficient bridges and roads in every one of our congressional districts. That is an emergency. We need to address that.

Keeping the government open is an emergency. But to say this is an emergency is kind of ridiculous. It is not an emergency. It is kind of like our house is on fire and you are saying: I will get out the hose later, but I need to wash the dishes first.

That is how this kind of fits into what we are doing here today. This doesn't qualify for that.

On the substance of the bill, we have this radical idea that scientists ought to sit on scientific advisory committees, not corporate cronies, not people who are interested in covering up for polluters or doing their bidding. We think experts and scientists ought to sit on scientific advisory boards. That is the radical idea that we have. This bill, unfortunately, undermines that.

What this bill does is threaten public health by stacking advisory boards

with industry representatives, and it weakens scientific review. It is that simple. I don't care what your political ideology is, I don't think you want that.

Let me just mention some of the groups that are opposed to this:

The Alliance of Nurses for Healthy Environments, American Geophysical Union, and the American Lung Association strongly oppose this bill. The American Public Health Association, the American Thoracic Society, and the Asthma and Allergy Foundation of America oppose this bill. Clean Water Action opposes this bill. Earthjustice, the Environmental Defense Action Fund, Health Care Without Harm, League of Conservation Voters, and the National Medical Association oppose this bill. The Natural Resources Defense Council, Physicians for Social Responsibility, and Union of Concerned Scientists all oppose this bill. The Food Policy Action opposes this bill.

I can go on and on. Every organization that is an advocate for the health and well-being of the American people oppose this bill. We are bringing it up for an up-or-down vote, no amendments, a closed rule, and here we are.

I would just say, Mr. Speaker, again, this is a bad idea. I guess if you are an ally of big corporations or of corporations that engage in pollution, this is a good idea. But if you are interested in protecting the health and well-being of the American people, and the globe, for that matter, this is a bad idea.

As I began, I mentioned that when I speak to first-graders, they understand the importance of science. They get it. They want us to be good stewards of the environment. They want us to protect this planet. They understand the importance of science.

But I am always amazed how many people in this Chamber just don't get it. I find that really sad. I want to give my kids, and someday my grandkids and great grandkids, a future where we respect the environment. When we pass bills like this, it makes that less certain.

Mr. Speaker, I would urge my colleagues again to vote "no" on the previous question and, please, in a bipartisan way, reject this lousy piece of legislation.

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

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

This bill is a good idea, and I think the debate that we have had here today underscores the importance of this as we consider this under the rule.

H.R. 1431 addresses problems that have arisen over the years with the Science Advisory Board, and actually would return the Board to its intended purpose—something maybe the gentleman does not agree with—to provide independent expert advice on scientific and technical information.

By modernizing the policies and the procedures of the governing of the SAB, Congress, with this bill, can take

critical steps to make sure that the SAB is best equipped to provide that independent, transparent, balanced review and the analyses of the science used that guides the EPA's regulatory decisions.

One key issue that this measure would address is the importance of having regulations that are supported by science and that are reproducible and accessible for peer review, not antiscience, like some people have said. Quite the opposite. We want science. We want good science.

The scientific method demands that the result of scientific studies be capable of replication. This is all the more critical when the information is used to develop and set public policy, which is why the methods and the data used by the EPA and the SAB must be publicly available for purposes of replication and verification. If you don't want public transparency, I guess you should vote "no" on this bill.

Mr. Speaker, opponents of the legislation have argued that it makes unnecessary and unproductive changes to the SAB, that it would restrict the ability of scientists to engage on the issues they specialize in, creates new burdens through the public comment and transparency provisions, and weakens the ability of the EPA to use the best available science and data to support its rules and regulations.

I believe that these arguments fail to recognize what this bill actually does accomplish. They seem to ignore the importance of reforming the Federal rulemaking process in a way that ensures sound science is the bedrock on which Federal rules and regulations are built—sound science; is that a radical idea—and that these are not predetermined political agendas.

Unfortunately, the EPA has diluted the Board's credibility by systematically silencing dissenting opinions, ignoring calls for balanced participation, and preventing the Board from responding to congressional reports. Fully 10 percent of the seats on the Board will be filled by State, local, and tribal representatives, improving the balance of that participation.

H.R. 1431 simply encourages greater transparency, debate, and public participation in the Board, which will result in better decisionmaking at the EPA. I think that is something everyone should be able to agree on. I don't think public participation is a burden, but, rather, a benefit that improves the relationship and the interaction between Federal regulators and the public.

By strengthening public participation, improving the process for selecting expert advisers, and expanding transparency requirements, this legislation takes critical steps that will improve our regulatory system, while also ensuring that the most qualified and the most capable scientists are free to undertake a balanced and open review of regulatory science.

Mr. Speaker, it is time to update the law. It is time to restore independence

to the Science Advisory Board. It is time to strengthen scientific integrity. Science is an invaluable tool that helps policymakers navigate complex issues, yet this resource has been severely diminished if the EPA interferes with expert advice, limits public participation, and fails to disclose potential conflicts of interest.

As President Reagan said in guidance to the EPA: "The purpose of the Science Advisory Board is to apply the universally accepted principles of scientific peer review to the research conclusions that will form the basis for EPA regulations, a function that must remain above interest group politics."

Mr. Speaker, I believe H.R. 1431 gets to the heart of President Reagan's point. Greater debate, unbiased scientific advice and independent peer reviews, and public participation will only result in better decisionmaking at the Federal level. I believe that this is the goal we all share, and I urge all of my colleagues to support this rule, as well as the underlying bill.

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

AN AMENDMENT TO H. RES. 233 OFFERED BY
MR. MCGOVERN

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

SEC. 2. 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. 356) to establish the National Commission on Foreign Interference in the 2016 Election. 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 Foreign Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 356.

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 232, nays 191, not voting 6, as follows:

[Roll No. 203]

YEAS—232

Abraham	Goodlatte	Olson
Aderholt	Gosar	Palazzo
Allen	Gowdy	Palmer
Amash	Granger	Paulsen
Amodel	Graves (GA)	Pearce
Arrington	Graves (LA)	Perry
Babin	Graves (MO)	Pittenger
Bacon	Griffith	Poe (TX)
Banks (IN)	Grothman	Poliquin
Barletta	Guthrie	Posey
Barr	Harper	Ratcliffe
Barton	Harris	Reed
Bergman	Hartzler	Reichert
Biggs	Hensarling	Renacci
Bilirakis	Herrera Beutler	Rice (SC)
Bishop (MI)	Hice, Jody B.	Roby
Bishop (UT)	Higgins (LA)	Roe (TN)
Black	Hill	Rogers (AL)
Blackburn	Holding	Rogers (KY)
Blum	Hollingsworth	Rohrabacher
Bost	Hudson	Rokita
Brady (TX)	Huizenga	Rooney, Francis
Brat	Hultgren	Rooney, Thomas
Bridenstine	Hunter	J.
Brooks (AL)	Hurd	Ros-Lehtinen
Brooks (IN)	Issa	Roskam
Buchanan	Jenkins (KS)	Ross
Buck	Jenkins (WV)	Rothfus
Bucshon	Johnson (LA)	Rouzer
Budd	Johnson (OH)	Royce (CA)
Burgess	Johnson, Sam	Russell
Byrne	Jordan	Rutherford
Calvert	Joyce (OH)	Sanford
Carter (GA)	Katko	Scalise
Carter (TX)	Kelly (MS)	Schweikert
Chabot	Kelly (PA)	Scott, Austin
Chaffetz	King (IA)	Sensenbrenner
Cheney	King (NY)	Sessions
Coffman	Kinzing	Shimkus
Cole	Knight	Shuster
Collins (GA)	Kustoff (TN)	Simpson
Collins (NY)	Labrador	Smith (MO)
Comer	LaHood	Smith (NE)
Comstock	LaMalfa	Smith (NJ)
Conaway	Lamborn	Smith (TX)
Cook	Lance	Smucker
Costello (PA)	Latta	Stefanik
Cramer	Lewis (MN)	Stewart
Crawford	LoBiondo	Stivers
Culberson	Long	Taylor
Curbelo (FL)	Loudermilk	Tenney
Davidson	Love	Thompson (PA)
Davis, Rodney	Lucas	Thornberry
Denham	Luetkemeyer	Tiberi
Dent	MacArthur	Tipton
DeSantis	Marchant	Trott
DesJarlais	Marshall	Turner
Diaz-Balart	Masie	Upton
Donovan	Mast	Valadao
Duncan (SC)	McCarthy	Wagner
Duncan (TN)	McCaul	Walberg
Dunn	McClintock	Walden
Emmer	McHenry	Walker
Farenthold	McKinley	Walorski
Faso	McMorris	Walters, Mimi
Ferguson	Rodgers	Weber (TX)
Fitzpatrick	McSally	Webster (FL)
Fleischmann	Meadows	Wenstrup
Flores	Meehan	Westerman
Fortenberry	Messer	Williams
Fox	Mitchell	Wilson (SC)
Franks (AZ)	Moolenaar	Wittman
Frelinghuysen	Mooney (WV)	Womack
Gaetz	Mullin	Woodall
Gallagher	Murphy (PA)	Yoder
Garrett	Newhouse	Yoho
Gibbs	Noem	Young (IA)
Gohmert	Nunes	Zeldin

NAYS—191

Adams	Boyle, Brendan	Castor (FL)
Aguilar	F.	Castro (TX)
Barragan	Brady (PA)	Chu, Judy
Bass	Brown (MD)	Cicilline
Beatty	Brownley (CA)	Clark (MA)
Bera	Bustos	Clarke (NY)
Beyer	Butterfield	Clay
Bishop (GA)	Capuano	Cleaver
Blumenauer	Carbajal	Clyburn
Blunt Rochester	Cardenas	Cohen
Bonamici	Carson (IN)	Connolly
	Cartwright	Conyers

Cooper	Keating	Peterson
Correa	Kelly (IL)	Pingree
Costa	Kennedy	Pocan
Courtney	Khanna	Polis
Crist	Kihuen	Price (NC)
Crowley	Kildee	Quigley
Cuellar	Kilmer	Raskin
Cummings	Kind	Rice (NY)
Davis (CA)	Krishnamoorthi	Richmond
Davis, Danny	Kuster (NH)	Rosen
DeFazio	Langevin	Roybal-Allard
DeGette	Larsen (WA)	Ruiz
Delaney	Larson (CT)	Ruppersberger
DeLauro	Lawrence	Ryan (OH)
DeBene	Lawson (FL)	Sánchez
Demings	Lee	Sarbanes
DeSaulnier	Levin	Schakowsky
Deutch	Lewis (GA)	Schiff
Dingell	Lieu, Ted	Schneider
Doggett	Lipinski	Schrader
Doyle, Michael	Loeb sack	Scott (VA)
F.	Lofgren	Scott, David
Ellison	Lowenthal	Serrano
Engel	Lujan Grisham, M.	Sewell (AL)
Eshoo	Luján, Ben Ray	Shea-Porter
Espallat	Lynch	Sherman
Esty	Maloney,	Sinema
Evans	Carolyn B.	Sires
Foster	Maloney, Sean	Smith (WA)
Frankel (FL)	Matsui	Soto
Fudge	McCollum	Speier
Gabbard	McEachin	Suozi
Galleo	McGovern	Swalwell (CA)
Garamendi	McNerney	Takano
Gonzalez (TX)	Meng	Thompson (CA)
Gottheimer	Moore	Thompson (MS)
Green, Al	Moulton	Titus
Green, Gene	Gutiérrez	Tonko
Grijalva	Hadley	Torres
Gutiérrez	Hanabusa	Tsongas
Harper	Hastings	Vargas
Hicks	Heck	Veasey
Higgins (NY)	Hoyer	Vela
Himes	Huffman	Velázquez
Hoyer	Jackson Lee	Visclosky
O'Halleran	Jayapal	Walz
O'Rourke	Jeffries	Wasserman
Pallone	Johnson (GA)	Schultz
Panetta	Johnson, E. B.	Waters, Maxine
Payne	Jones	Watson Coleman
Pelosi	Kaptur	Welch
Perlmutter		Wilson (FL)
Peters		Yarmuth

NOT VOTING—6

□ 1336

Mr. O'HALLERAN changed his vote from "yea" to "nay."

So the previous question was ordered.

The result of the vote was announced as above recorded.

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. MCGOVERN. 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 232, noes 188, not voting 9, as follows:

[Roll No. 204]

AYES—232

Abraham	Barton	Brat
Aderholt	Bergman	Bridenstine
Allen	Biggs	Brooks (AL)
Amash	Bilirakis	Brooks (IN)
Amodel	Bishop (MI)	Buchanan
Arrington	Bishop (UT)	Buck
Babin	Black	Bucshon
Bacon	Blackburn	Budd
Banks (IN)	Blum	Burgess
Barletta	Bost	Byrne
Barr	Brady (TX)	Calvert

Carter (GA)	Hultgren	Reed
Carter (TX)	Hunter	Reichert
Chabot	Hurd	Renacci
Chaffetz	Issa	Rice (SC)
Cheney	Jenkins (KS)	Roby
Coffman	Jenkins (WV)	Roe (TN)
Cole	Johnson (LA)	Rogers (AL)
Collins (GA)	Johnson (OH)	Rogers (KY)
Collins (NY)	Johnson, Sam	Rohrabacher
Comer	Jones	Rokita
Comstock	Jordan	Rooney, Francis
Conaway	Joyce (OH)	Rooney, Thomas
Cook	Katko	J.
Costello (PA)	Kelly (MS)	Ros-Lehtinen
Cramer	Kelly (PA)	Roskam
Crawford	King (IA)	Ross
Culberson	King (NY)	Rothfus
Davidson	Kinzing	Rouzer
Davis, Rodney	Knight	Royce (CA)
Denham	Kustoff (TN)	Russell
Dent	Labrador	Rutherford
DeSantis	LaHood	Sanford
DesJarlais	Lamborn	Scalise
Diaz-Balart	Lance	Schweikert
Donovan	Latta	Scott, Austin
Duncan (SC)	Lewis (MN)	Sensenbrenner
Duncan (TN)	LoBiondo	Sessions
Dunn	Long	Shimkus
Ellison	Loudermilk	Shuster
Emmer	Love	Simpson
Farenthold	Lucas	Smith (MO)
Faso	Luetkemeyer	Smith (NE)
Ferguson	MacArthur	Smith (NJ)
Fitzpatrick	Marchant	Smith (TX)
Fleischmann	Marshall	Smucker
Flores	Masie	Stefanik
Fortenberry	Mast	Stewart
Fox	McCarthy	Stivers
Franks (AZ)	McCaul	Taylor
Frelinghuysen	McClintock	Tenney
Gaetz	McHenry	Thompson (PA)
Gallagher	McKinley	Thornberry
Garrett	McMorris	Tiberi
Gibbs	Rodgers	Tipton
Gohmert	McSally	Trott
	Meadows	Turner
	Meehan	Upton
	Messer	Valadao
	Mitchell	Wagner
	Moolenaar	Walberg
	Mooney (WV)	Walden
	Mullin	Walker
	Murphy (PA)	Walorski
	Newhouse	Walters, Mimi
	Noem	Weber (TX)
	Nunes	Webster (FL)
	Olson	Wenstrup
	Palazzo	Westerman
	Palmer	Williams
	Paulsen	Wilson (SC)
	Pearce	Wittman
	Perry	Womack
	Pittenger	Woodall
	Poe (TX)	Yoder
	Poliquin	Yoho
	Posey	Young (IA)
	Ratcliffe	Zeldin

NOES—188

Adams	Cleaver	Esty
Aguilar	Clyburn	Evans
Barragan	Cohen	Foster
Bass	Connolly	Frankel (FL)
Beatty	Conyers	Fudge
Bera	Cooper	Gabbard
Beyer	Correa	Galleo
Bishop (GA)	Costa	Garamendi
Blumenauer	Courtney	Gonzalez (TX)
Blunt Rochester	Crist	Gottheimer
Bonamici	Crowley	Green, Al
Boyle, Brendan	Cuellar	Green, Gene
F.	Cummings	Grijalva
Brady (PA)	Davis (CA)	Gutiérrez
Brown (MD)	Davis, Danny	Hanabusa
Brownley (CA)	DeFazio	Hastings
Bustos	DeGette	Heck
Butterfield	Delaney	Higgins (NY)
Capuano	DeLauro	Himes
Carbajal	DeBene	Hoyer
Cardenas	Demings	Huffman
Carson (IN)	DeSaulnier	Jackson Lee
Cartwright	Deutch	Jayapal
Castor (FL)	Dingell	Jeffries
Castro (TX)	Doggett	Johnson (GA)
Chu, Judy	Doyle, Michael	Johnson, E. B.
Cicilline	F.	Kaptur
Clark (MA)	Engel	Keating
Clarke (NY)	Eshoo	Kelly (IL)
Clay	Espallat	Kennedy

Khanna	Moulton	Scott (VA)
Kihuen	Murphy (FL)	Scott, David
Kildee	Nadler	Serrano
Kilmer	Napolitano	Sewell (AL)
Krishnamoorthi	Neal	Shea-Porter
Kuster (NH)	Nolan	Sherman
Langevin	Norcross	Sinema
Larsen (WA)	O'Halleran	Sires
Larson (CT)	O'Rourke	Smith (WA)
Lawrence	Pallone	Soto
Lawson (FL)	Panetta	Speier
Lee	Pascarell	Suozi
Levin	Payne	Swalwell (CA)
Lewis (GA)	Pelosi	Takano
Lieu, Ted	Perlmutter	Thompson (CA)
Lipinski	Peters	Thompson (MS)
Loebach	Peterson	Titus
Lofgren	Pingree	Tonko
Lowenthal	Pocan	Torres
Lowe	Polis	Tsongas
Lujan Grisham,	Price (NC)	Vargas
M.	Raskin	Veasey
Lujan, Ben Ray	Rice (NY)	Vela
Lynch	Richmond	Velázquez
Maloney,	Rosen	Visclosky
Carolyn B.	Roybal-Allard	Walz
Maloney, Sean	Ruiz	Wasserman
Matsui	Ruppersberger	Schultz
McCollum	Sánchez	Waters, Maxine
McEachin	Sarbanes	Watson Coleman
McGovern	Schakowsky	Welch
McNerney	Schiff	Wilson (FL)
Meng	Schneider	Yarmuth
Moore	Schrader	

NOT VOTING—9

Curbelo (FL)	Marino	Rush
Duffy	Meeks	Slaughter
LaMalfa	Quigley	Young (AK)

□ 1343

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. ELLISON. Mr. Speaker, during rollcall Vote No. 204 on H. Res. 233, the rule for H.R. 1431, I mistakenly recorded my vote as "yea" when I should have voted "nay."

HONEST AND OPEN NEW EPA SCIENCE TREATMENT ACT OF 2017

Mr. SMITH of Texas. Mr. Speaker, pursuant to House Resolution 229, I call up the bill (H.R. 1430) to prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 229, the bill is considered read.

The text of the bill is as follows:

H.R. 1430

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Honest and Open New EPA Science Treatment Act of 2017" or the "HONEST Act".

SEC. 2. DATA TRANSPARENCY.

Section 6(b) of the Environmental Research, Development, and Demonstration Authorization Act of 1978 (42 U.S.C. 4363 note) is amended to read as follows:

"(b)(1) The Administrator shall not propose, finalize, or disseminate a covered action unless all scientific and technical information relied on to support such covered action is—

"(A) the best available science;
 "(B) specifically identified; and
 "(C) publicly available online in a manner that is sufficient for independent analysis and substantial reproduction of research results, except that any personally identifiable information, trade secrets, or commercial or financial information obtained from a person and privileged or confidential, shall be redacted prior to public availability.

"(2) The redacted information described in paragraph (1)(C) shall be disclosed to a person only after such person signs a written confidentiality agreement with the Administrator, subject to guidance to be developed by the Administrator.

"(3) Nothing in the subsection shall be construed as—

"(A) requiring the Administrator to disseminate scientific and technical information;

"(B) superseding any nondiscretionary statutory requirement; or

"(C) requiring the Administrator to repeal, reissue, or modify a regulation in effect on the date of enactment of the Honest and Open New EPA Science Treatment Act of 2017.

"(4) In this subsection—

"(A) the term 'covered action' means a risk, exposure, or hazard assessment, criteria document, standard, limitation, regulation, regulatory impact analysis, or guidance; and
 "(B) the term 'scientific and technical information' includes—

"(i) materials, data, and associated protocols necessary to understand, assess, and extend conclusions;

"(ii) computer codes and models involved in the creation and analysis of such information;

"(iii) recorded factual materials; and

"(iv) detailed descriptions of how to access and use such information.

"(5) The Administrator shall carry out this subsection in a manner that does not exceed \$1,000,000 per fiscal year, to be derived from amounts otherwise authorized to be appropriated."

The SPEAKER pro tempore. Pursuant to House Resolution 229, the gentleman from Texas (Mr. SMITH) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill, H.R. 1430.

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

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1430, the Honest and Open New EPA Science Treatment Act of 2017, or HONEST Act, requires the Environmental Protection Agency to base its regulations on science that is publicly available.

Why would anyone want to hide this information from the American people?

I thank former Science Committee member and former Environment Subcommittee Chairman DAVID SCHWEIKERT for his longtime commit-

ment to this issue, and for sponsoring the Secret Science Reform Act in the 113th Congress. In the last Congress, a similar bill passed the House with bipartisan support. Our goal is to help advance not just any science, but the best science.

The HONEST Act is a nonpartisan bill: a change in administration does not affect the public's right to know and see the science behind the EPA's regulations.

This legislation ensures that sound science is the basis for EPA decisions and regulatory actions. The days of "trust-me science" are over. In our modern Information Age, Federal regulations should be based only upon data that is available for every American to see, and that can be subjected to independent review. That is called the scientific method.

We can all agree that the government should rely on the best available science. Unfortunately, the government does not always hold to this standard. Looking at the EPA's past record, it is clear that the Agency has not followed an open and honest process. For example, many major air-quality regulations from the previous administration were justified by data that the EPA said they had not seen, even though they proposed the regulation.

This means that the EPA's claims about the cost and benefits of its regulations and the real risk they are meant to address cannot be independently verified by unbiased experts. If the EPA's mandates really are based on sound science, then the American people should be allowed to see the data. The EPA's past refusal to cooperate, leads to the question: What have they been hiding?

Americans have a right to be suspicious.

Mr. Speaker, we all care about the environment, but if policies are not based on legitimate science, regulations will result in economic hardship with little or no environmental benefits. In other words, the regulations would be all pain and no gain.

This bill strengthens the previous House-passed legislation of the last Congress, the Secret Science Reform Act. That bill also required the EPA to base its decisions on information fully available to scientists and the American people.

You may hear from opponents of this legislation that it costs too much money. That is based on a CBO estimate from 2 years ago that misinterprets the implementation requirements of the bill. CBO has not reissued that misinterpretation this year after consulting with the EPA.

All the HONEST Act requires is that the EPA use science that is publicly available, not make all science public itself. So the cost is negligible.

Some critics may claim that it puts personal data at risk. This is false. The HONEST Act specifically requires