

Happy 107th birthday, Oma. We love you.

MOMENT OF SILENCE HONORING JON RICHARDS

(Mr. JODY B. HICE of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JODY B. HICE of Georgia. Madam Speaker, I rise today with a heavy heart to celebrate the life of Jon Richards, a Georgia treasure, a brilliant political journalist, a selfless mentor. He passed away this past Sunday after a battle with cancer. Our prayers go out and we grieve for the family and friends of Jon during this difficult time.

Madam Speaker, Jon grew up in Cincinnati, Ohio, and later moved to Lawrenceville, Georgia, where he became active in various Gwinnett County civic, social, and political organizations.

He was well respected on both sides of the political aisle, serving with endless passion as editor-in-chief of georgiapol.com. Most notably, however, was his devotion to mentoring high school and college students who were interested in politics, and he left a lasting impression.

Madam Speaker, Jon was known by the Gwinnett community as someone who lived life to its fullest and made the most of every day. His leadership was unmatched and cannot be overstated.

I am grateful to know that, through Christ, we will be able to meet again.

Madam Speaker, I would ask my colleagues to stand and join with me for a moment of silence to honor the life and legacy of Jon Richards, who will be sorely missed by many.

INVESTIGATING RUSSIA'S INFLUENCE ON OUR ELECTION

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

Ms. VELÁZQUEZ. Madam Speaker, Russia's efforts to influence our election constitutes a direct assault on our democracy. These alarming events must be thoroughly investigated. In particular, we must determine if any Americans collaborated in these attacks and are legally culpable.

Sadly, the House Intelligence Committee chairman is either unwilling or incapable of conducting a fair investigation. How can Mr. NUNES run this investigation if he is briefing the President before talking with members of his committee? How can he be secretly meeting with so-called sources at the White House?

Madam Speaker, the American people need to know that democracy is intact, and that requires a full, fair, and impartial investigation.

Since December, I have repeatedly called for the Department of Justice to appoint a special counsel. I have also

cosponsored legislation to create a bipartisan commission to investigate.

The bottom line is this: Chairman NUNES has lost all credibility. He must recuse himself. We need a real investigation. Appoint a special counsel now.

RECOGNIZING NATIONAL FROZEN FOOD MONTH

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

Mr. NEWHOUSE. Madam Speaker, I rise to recognize March as National Frozen Food Month.

In my district, growers count on our food processors to ensure that their agricultural products make it from farms to kitchen tables.

Jobs in agriculture depend on the ability to transport our products to buyers across the country and around the world. In my district, there are over 6,000 jobs in the frozen food industry, ensuring that families across the U.S. can enjoy Washington's agricultural products.

As a farmer and a former State director of agriculture, I understand how important frozen foods are to enable timely delivery and freshness, despite seasonal changes. Freezing reduces food waste and increases safety and affordability. Freezing also allows Americans to have access to the diverse array of food products they enjoy every day.

Join me in celebrating National Frozen Food Month and all those who work to ensure that the U.S. has the safest, most reliable, and most affordable food supply in the world.

ENDING GLOBAL HUNGER WITH RISE AGAINST HUNGER

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

Mr. MCGOVERN. Madam Speaker, Rise Against Hunger, under the leadership of Rod Brooks, is a charitable organization committed to ending global hunger by 2030. They partner with other charities, faith-based organizations, and corporations to host meal-packaging events across the country where volunteers assemble nutritious meals that are sent to over 40 countries.

On Tuesday, I had the opportunity to participate in a Rise Against Hunger meal-packaging event sponsored by The Kraft Heinz Company. I joined 100 volunteers to package 7,500 meals that will reach hungry families across the globe.

Last year alone, Rise Against Hunger engaged over 387,000 volunteers at over 3,000 events nationwide to assemble over 64 million meals that reached nearly 1.1 million hungry people.

I applaud Kraft Heinz and its CEO, Bernardo Hees, for their commitment

to packing 1 billion meals over the next 5 years. I appreciate all that Rise Against Hunger does to address chronic malnutrition and alleviate poverty worldwide.

Working together, we can end hunger now.

RUSSIA'S INTERFERENCE IN OUR DEMOCRATIC PROCESS

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

Mr. CARBAJAL. Madam Speaker, I rise today because the American people have the right to know the truth regarding Russia's interference in our democratic process.

I am a member of the House Armed Services Committee, and the message I hear from our military leaders is consistent: Russia is a top threat to the United States and our interests.

Russia has not only used its military to destabilize regions around the world, but it has completely undermined and disrupted the democratic values of this country.

This is unacceptable. And yet my colleagues from the other side of the aisle refuse to do their job as an oversight body and establish a bipartisan, independent commission to investigate Russia's egregious behavior.

We have a responsibility to be transparent with the American people. I strongly urge my Republican colleagues to not only immediately establish an independent investigation into Russia's interference in our election, but I also call for the release of President Trump's tax returns.

America's security and values are on the line. Any treasonous and unlawful relations with Russia cannot be tolerated.

EPA SCIENCE ADVISORY BOARD REFORM ACT OF 2017

Mr. LUCAS. Madam Speaker, pursuant to House Resolution 233, I call up 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, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 233, the bill is considered read.

The text of the bill is as follows:

H.R. 1431

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 "EPA Science Advisory Board Reform Act of 2017".

SEC. 2. SCIENCE ADVISORY BOARD.

(a) INDEPENDENT ADVICE.—Section 8(a) of the Environmental Research, Development, and Demonstration Authorization Act of 1978

(42 U.S.C. 4365(a)) is amended by inserting "independently" after "Advisory Board which shall".

(b) MEMBERSHIP.—Section 8(b) of the Environmental Research, Development, and Demonstration Authorization Act of 1978 (42 U.S.C. 4365(b)) is amended to read as follows:

"(b)(1) The Board shall be composed of at least nine members, one of whom shall be designated Chairman, and shall meet at such times and places as may be designated by the Chairman.

"(2) Each member of the Board shall be qualified by education, training, and experience to evaluate scientific and technical information on matters referred to the Board under this section. The Administrator shall ensure that—

"(A) the scientific and technical points of view represented on and the functions to be performed by the Board are fairly balanced among the members of the Board;

"(B) at least ten percent of the membership of the Board are from State, local, or tribal governments;

"(C) persons with substantial and relevant expertise are not excluded from the Board due to affiliation with or representation of entities that may have a potential interest in the Board's advisory activities, so long as that interest is fully disclosed to the Administrator and the public and appointment to the Board complies with section 208 of title 18, United States Code;

"(D) in the case of a Board advisory activity on a particular matter involving, or for which the Board has evidence that it may involve, a specific party, no Board member having an interest in the specific party shall participate in that activity;

"(E) Board members may not participate in advisory activities that directly or indirectly involve review or evaluation of their own work, unless fully disclosed to the public and the work has been externally peer-reviewed;

"(F) Board members shall be designated as special Government employees;

"(G) no registered lobbyist is appointed to the Board; and

"(H) a Board member shall have no current grants or contracts from the Environmental Protection Agency and shall not apply for a grant or contract for 3 years following the end of that member's service on the Board.

"(3) The Administrator shall—

"(A) solicit public nominations for the Board by publishing a notification in the Federal Register;

"(B) solicit nominations from relevant Federal agencies, including the Departments of Agriculture, Defense, Energy, the Interior, and Health and Human Services;

"(C) solicit nominations from—

"(i) institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))); and

"(ii) scientific and research institutions based in work relevant to that of the Board;

"(D) make public the list of nominees, including the identity of the entities that nominated each, and shall accept public comment on the nominees;

"(E) require that, upon their provisional nomination, nominees shall file a written report disclosing financial relationships and interests, including Environmental Protection Agency grants, contracts, cooperative agreements, or other financial assistance, that are relevant to the Board's advisory activities for the three-year period prior to the date of their nomination, and relevant professional activities and public statements for the five-year period prior to the date of their nomination; and

"(F) make such reports public, with the exception of specific dollar amounts, for each

member of the Board upon such member's selection.

"(4) Disclosure of relevant professional activities under paragraph (3)(E) shall include all representational work, expert testimony, and contract work as well as identifying the party for which the work was done.

"(5) Except when specifically prohibited by law, the Agency shall make all conflict of interest waivers granted to members of the Board, member committees, or investigative panels publicly available.

"(6) Any recusal agreement made by a member of the Board, a member committee, or an investigative panel, or any recusal known to the Agency that occurs during the course of a meeting or other work of the Board, member committee, or investigative panel shall promptly be made public by the Administrator.

"(7) The terms of the members of the Board shall be three years and shall be staggered so that the terms of no more than one-third of the total membership of the Board shall expire within a single fiscal year. No member shall serve more than two terms over a ten-year period."

(c) RECORD.—Section 8(c) of such Act (42 U.S.C. 4365(c)) is amended—

(1) in paragraph (1)—

(A) by inserting "or draft risk or hazard assessment," after "at the time any proposed";

(B) by striking "formal"; and

(C) by inserting "or draft risk or hazard assessment," after "to the Board such proposed"; and

(2) in paragraph (2)—

(A) by inserting "or draft risk or hazard assessment," after "the scientific and technical basis of the proposed"; and

(B) by adding at the end the following: "The Board's advice and comments, including dissenting views of Board members, and the response of the Administrator shall be included in the record with respect to any proposed risk or hazard assessment, criteria document, standard, limitation, or regulation and published in the Federal Register."

(d) MEMBER COMMITTEES AND INVESTIGATIVE PANELS.—Section 8(e)(1)(A) of such Act (42 U.S.C. 4365(e)(1)(A)) is amended by adding at the end the following: "These member committees and investigative panels—

"(i) shall be constituted and operate in accordance with the provisions set forth in paragraphs (2) and (3) of subsection (b), in subsection (h), and in subsection (i);

"(ii) do not have authority to make decisions on behalf of the Board; and

"(iii) may not report directly to the Environmental Protection Agency."

(e) PUBLIC PARTICIPATION.—Section 8 of such Act (42 U.S.C. 4365) is amended by amending subsection (h) to read as follows:

"(h)(1) To facilitate public participation in the advisory activities of the Board, the Administrator and the Board shall make public all reports and relevant scientific information and shall provide materials to the public at the same time as received by members of the Board.

"(2) Prior to conducting major advisory activities, the Board shall hold a public information-gathering session to discuss the state of the science related to the advisory activity.

"(3) Prior to convening a member committee or investigative panel under subsection (e) or requesting scientific advice from the Board, the Administrator shall accept, consider, and address public comments on questions to be asked of the Board. The Board, member committees, and investigative panels shall accept, consider, and address public comments on such questions and shall not accept a question that unduly narrows the scope of an advisory activity.

"(4) The Administrator and the Board shall encourage public comments, including oral

comments and discussion during the proceedings, that shall not be limited by an insufficient or arbitrary time restriction. Public comments shall be provided to the Board when received, and shall be published in the Federal Register grouped by common themes. If multiple repetitious comments are received, only one such comment shall be published along with the number of such repetitious comments received. Any report made public by the Board shall include written responses to significant comments, including those that present an alternative hypothesis-based scientific point of view, offered by members of the public to the Board.

"(5) Following Board meetings, the public shall be given 15 calendar days to provide additional comments for consideration by the Board."

(f) OPERATIONS.—Section 8 of such Act (42 U.S.C. 4365) is further amended by amending subsection (i) to read as follows:

"(i)(1) In carrying out its advisory activities, the Board shall strive to avoid making policy determinations or recommendations, and, in the event the Board feels compelled to offer policy advice, shall explicitly distinguish between scientific determinations and policy advice.

"(2) The Board shall clearly communicate uncertainties associated with the scientific advice provided to the Administrator or Congress.

"(3) The Board shall ensure that advice and comments reflect the views of the members and shall encourage dissenting members to make their views known to the public, the Administrator, and Congress.

"(4) The Board shall conduct periodic reviews to ensure that its advisory activities are addressing the most important scientific issues affecting the Environmental Protection Agency.

"(5) The Board shall be fully and timely responsive to Congress."

SEC. 3. RELATION TO THE FEDERAL ADVISORY COMMITTEE ACT.

Nothing in this Act or the amendments made by this Act shall be construed as supplanting the requirements of the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 4. RELATION TO THE ETHICS IN GOVERNMENT ACT OF 1978.

Nothing in this Act or the amendments made by this Act shall be construed as supplanting the requirements of the Ethics in Government Act of 1978 (5 U.S.C. App.).

The SPEAKER pro tempore. The gentleman from Oklahoma (Mr. LUCAS) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma.

□ 0915

GENERAL LEAVE

Mr. LUCAS. Madam 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. 1431.

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

There was no objection.

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

I thank Chairman SMITH and Environment Subcommittee Chairman BIGGS for their hard work on this important piece of legislation. I also thank my good friend, Representative

PETERSON for, yet again, working—helping, I should say—to make this bill a bipartisan effort. I appreciate his willingness to sponsor this bill with me.

I had the opportunity to speak in favor of this legislation when it passed this House with bipartisan support in the 114th Congress. Now, I come to the floor yet again to urge my colleagues to vote in favor of this important reform. The SAB Reform Act was a good bill then, and it is a good bill now. This is a policy that is built on the values we should uphold regardless of which side of the political aisle we are on or who happens to be the President.

H.R. 1431, the Science Advisory Board Reform Act, ensures the best experts are free to undertake a balanced and open review of regulatory science. The Board was established to provide scientific advice to the EPA and Congress, and to review the quality and relevance of science EPA uses for regulations. But in recent years, shortcomings with the process have arisen. Opportunities for public participation have been limited, potential conflicts of interest have gone unchecked, and the ability of the Board to speak independently has been curtailed.

If the administration undermines the Board's independence or prevents it from providing advice to Congress, the valuable advice these experts can provide is wasted.

Despite the existing requirement that the EPA's advisory panels be fairly balanced in terms of point of view represented, the Science, Space, and Technology Committee has identified a number of past problems that have undermined the panel's credibility and work product. These include a number of advisory members who received money from the EPA. At the very least, this could create the appearance of a conflict of interest.

Some of the panelists have taken public and even political positions on issues they are advising about. For example, a lead reviewer of the EPA's hydraulic fracking study published an anti-fracking article titled, "Regulate, Baby, Regulate." Now, this clearly is not an objective viewpoint, and should be publicly disclosed.

Public participation is limited during most board meetings. Interested parties have almost no ability to comment on the scope of the work, and meeting records are often incomplete and hard to obtain.

This bill is both pro-science, and pro-sound science. This bill is founded upon recommendations for reform outlined by the National Academy of Sciences, and the EPA's Peer Review Handbook. This bill ensures that the Board is balanced, transparent, and independent, all of which will help prevent the SAB from being manipulated by any group.

H.R. 1431 makes sound science the driving force of the Board, no matter who is the chief executive officer of our government.

Perhaps most importantly, this bill seeks to increase public participation

that benefits all stakeholders. Currently, valuable opportunities for diverse perspectives are limited. The Federal Government does not have a monopoly on the truth. Ask your constituents back home if they know that.

The public has important expertise that can't afford to be ignored in a democracy. State, local, tribal, and private sectors have a long history of qualified scientific experts. Their contributions should be taken seriously.

Unfortunately, the history of the SAB shows that private sector representation is often lacking or simply nonexistent. Instead, in the past, EPA has picked the Board, ignoring the knowledge, experience, and contributions of those experts. This bill ensures that qualified experts are not excluded simply due to their affiliation. This will add value and credibility to future Board reviews.

Mr. PETERSON and I recognize the important role science should play in our policy debates and provides safeguards to give the public confidence in science. It restores the independent Science Advisory Board as a defender of scientific integrity.

Madam Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I yield myself such time as I may consume.

I rise in opposition to H.R. 1431, the EPA Science Advisory Board Reform Act of 2017. Like the bill we considered yesterday, the so-called HONEST Act, H.R. 1431 is designed to harm the Environmental Protection Agency's ability to use science to make informed decisions.

The bill before us today claims to reform the EPA's Science Advisory Board. And let's talk about what these reforms would mean.

First, the bill establishes a series of roadblocks to prevent independent academic scientists from serving on the Board. It accomplishes this by turning the term "conflict of interest" on its head by excluding scientists who have done the most relevant research on the topic being considered by the Board. The bill also prohibits Science Advisory Board members from obtaining extramural research grants for 3 years after their service on the Board, which would be a major disincentive for scientists to serve on the panel.

At the same time that this bill makes it much more difficult for academic researchers to serve on the Science Advisory Board, the bill also makes it much easier for corporate interests to serve. This is accomplished by gutting actual financial conflict-of-interest restrictions against industry representatives. Under this legislation, those industry representatives would simply have to disclose their financial conflicts, and they could serve on panels directly related to their corporate interests.

Finally, H.R. 1431 imposes exhaustive and duplicative notice-and-comment

requirements on the Science Advisory Board. I say these requirements are exhaustive because, in addition to being an open-ended process, the Board would also have to respond in writing to any and all significant comments. In fact, I find it hard to believe that the advisory process created by this bill could ever be completed.

Of course, that is the real purpose of this provision. It is designed to throw sand in the gears of the Science Advisory Board process, and prevent board members from ever rendering their expert advice.

These additions are totally unnecessary. The Science Advisory Board already has statutorily mandated notice-and-comment obligations, and the Federal Advisory Committee Act already applies to their activities.

So if this bill passes, what would happen?

As an example, I will turn to a case study from the early 1990s. At that time, the EPA was forming a Scientific Advisory Panel to review evidence of harm from secondhand tobacco smoke. Thanks to internal tobacco industry documents that have been made public, we now know that Big Tobacco made a concerted effort to stack the Scientific Advisory Panel with tobacco industry hacks.

We take it for granted now that tobacco smoke is dangerous, but at that time, in the early nineties, Big Tobacco had succeeded in muddying the scientific waters around this issue by investing tens of millions of dollars in a coordinated attempt to defraud the American people.

If H.R. 1431 had been in effect back then, Big Tobacco likely would have succeeded in co-opting the Science Advisory Board.

What would the effects have been on public health to have had the EPA's science review body controlled by tobacco interests?

That is why a number of public health and environmental interest groups have come out against H.R. 1431. In a letter penned by the American Lung Association, the American Public Health Association, and several other health groups, the effects of H.R. 1431 are summed up like this:

"In short, EPA's Science Advisory Board Reform Act would limit the voice of scientists, restrict the ability of the Board to respond to important questions, and increase the influence of industry in shaping EPA policy. This is not the best interest of the American public."

I couldn't agree more. I strongly urge Members to oppose this misguided bill.

Madam Speaker, I reserve the balance of my time.

Mr. LUCAS. Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. SMITH), the chairman of the Science, Space, and Technology Committee, a fellow who has worked very diligently on the committee for many years.

Mr. SMITH of Texas. Madam Speaker, I would like to thank the gentleman

from Oklahoma, Mr. LUCAS, the vice chairman of the Science, Space, and Technology Committee for yielding to me, and I would also like to thank him for his leadership on H.R. 1431, the Environmental Protection Agency Science Advisory Board Reform Act of 2017.

This bill gives much needed transparency, fairness, and balance to the EPA's Science Advisory Board. These reforms will strengthen the public's trust of the science the EPA uses to support its regulations.

It also allows more public participation in the EPA science review process, and it requires the SAB to be more responsive to the public and to congressional questions, inquiries, and oversight.

Last Congress, similar legislation passed the House with bipartisan support. I appreciate Mr. LUCAS and the ranking member of the Agriculture Committee, Representative PETERSON, for introducing this legislation.

Madam Speaker, I support this bill, and recommend it to my colleagues.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Madam Speaker, I rise today in strong opposition to H.R. 1431, the EPA Science Advisory Board Reform Act.

Madam Speaker, H.R. 1431 is a blatant attempt to cripple the important mission of the EPA by stacking the EPA Science Advisory Board with industry insiders.

When Congress established the Science Advisory Board in 1978 to review the scientific data that informs the EPA's regulatory process, they did that with the requirement that the Board be balanced with representatives from industry and academia. The legislation we are considering today would skew that balance in favor of industry, with the intent of slowing down the EPA's regulatory process.

With a significant respect for the vice chair from Oklahoma, it makes no sense to suggest that the representatives of regulated corporate interests, however expert, can be credibly described as "defenders of scientific integrity."

I am particularly concerned about the double standard mandated by this bill. On the one hand, the bill makes it easier for industry representatives to serve on the Board by only requiring that they disclose their conflicts of interest. There is no recusal requirement for industry insiders, no matter how deep their financial ties may go or how much their industry is regulated by the EPA. But, astonishingly, on the other hand, the same scientists and researchers who received EPA research grants or contracts are automatically disqualified from service. Any scientists or researcher would be precluded from accepting any grant or contract for 3 years after their service.

So the scientists who spent their whole career becoming the world's top

experts on a given topic must choose between advising our public health or continuing their research. They can bring their knowledge to the EPA and give up that work or continue.

Why oh why would we make it more difficult for the scientists and academic experts to participate in the Science Advisory Board while at the same time making it easier for industry experts to participate? Why would we want less science on the Science Advisory Board?

This proposal does nothing to advance science or protect public health. Instead, it creates senseless hurdles, burdensome red tape for the Science Advisory Board, and makes it more difficult to achieve its mission. We need to let scientists and researchers do their jobs by opposing this legislation.

Mr. LUCAS. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. HIGGINS), a member of the Environment Subcommittee of the Committee on Science, Space, and Technology.

□ 0930

Mr. HIGGINS of Louisiana. Mr. Speaker, I rise today in support of H.R. 1431, the EPA Science Advisory Board Reform Act, of which I am an original cosponsor.

This bill intends not to deny science, but to deny manipulated science. This is a commonsense, good-government piece of legislation that will discourage ideologically based decisions by the Science Advisory Board and set it back on a path of making objective, science-based conclusions as originally intended by Congress.

Further, this bill would promote accountability within SAB, while also strengthening public participation, ensuring that there is a diverse makeup on its various boards and panels, reinforcing a strong system of peer-review requirements that work toward reducing conflicts of interest, providing ample opportunity for dissenting views by panelists, and, most importantly, requiring conclusions and reasonings be made available to the public.

Mr. Speaker, this is a crucial piece of legislation. The rules and regulations coming out of the Environmental Protection Agency have real-world implications on families in my State of Louisiana and, indeed, across the Nation.

The current system in place allows for the EPA to set forth ideological, biased, and nonscience-based rules and regulations. The standards set forth by this bill promote the use of good science and a strong and open system of transparency and peer review.

I urge all my colleagues to vote "yes" on H.R. 1431.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 4 minutes to the gentlewoman from Massachusetts (Ms. TSONGAS).

Ms. TSONGAS. Mr. Speaker, since President Trump took office, I have heard from hundreds of my constituents who are concerned about attacks

by this new administration on the Environmental Protection Agency and the potential, long-term negative impacts on public health, clean water, clean air, and our Nation's work to play a leading role in combating climate change.

Thelma from Lowell wrote:

Without EPA and its mission to protect our water and air, I fear that all the work done over the past 40 years will be erased.

Ingrid from Groton wrote:

I need to be able to trust that the EPA will protect our air, water, land, and health. But Scott Pruitt has worked so closely with polluters, even suing the EPA more than a dozen times, how can we trust that he will protect our health and safety?

And demonstrating just how personal an issue this is for many people, Katherine from Acton wrote to me:

This is my first time writing a congressional Representative, and I am proud to be doing so now, though my motivation is less heartening. As a mother of two precocious young kids, I have little time to do much beyond the essentials of daily living, much less writing a letter, so I assure you this one is written out of a feeling of necessity.

She went on to say:

Environmental pollution is real and in our backyards. It contaminates our air, our water, and our land. Cleanup of these pollutants is extremely difficult, if not impossible, and the implications for our health are astounding.

Unfortunately, the legislation before us today will do nothing to assuage the fears of my constituents and millions of others around the country who support independent, unbiased, science-based decisionmaking at the EPA, which is essential to protecting public health, clean water, and combating climate change.

Instead of promoting sound science, this legislation would weaken the scientific expertise of the EPA's Science Advisory Board, the independent body that reviews scientific and technical information used in EPA decision-making and provides scientific advice to the EPA Administrator.

If Congress really wants to promote sound science, I would urge consideration of the Scientific Integrity Act, legislation that I introduced along with Ranking Member EDDIE BERNICE JOHNSON of Texas and Representatives LOWENTHAL and TONKO. Our bill will protect scientific research at Federal agencies from political interference and special interests. This legislation currently has 93 cosponsors, and it deserves debate in this House.

The majority is trying to claim that the legislation before us today helps us achieve goals similar to those of the Scientific Integrity Act, but my constituents aren't fooled.

I urge my colleagues to vote "no" on H.R. 1431.

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

I include in the RECORD the following letters: a letter of support from the Chamber of Commerce of the United States, a letter of support from the American Chemistry Council, a letter

of support from the National Cotton Council of America, another letter of support from the Chamber of Commerce of the United States, a letter of support from the Independent Petroleum Association of America, a letter of support from the CO₂ Coalition, and a letter of support from the Cato Institute.

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,

Washington, DC, March 29, 2017.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce supports the "Honest and Open New EPA Science Treatment (HONEST) Act of 2017" and the "EPA Science Advisory Board Reform Act of 2017." These bills would improve the transparency and reliability of scientific and technical information that Federal agencies rely heavily upon to support new regulatory actions.

The HONEST Act is designed to ensure that the studies and data Federal agencies cite when they write new regulations, standards, guidance, assessments of risk—or take other regulatory action—are clearly identified and available for public review. Additionally, information must be sufficiently transparent to allow study findings to be reproduced and validated. This is a critical safeguard to assure the public that the data Federal agencies rely on is scientifically sound, unbiased, and reliable.

The EPA Science Advisory Board Reform Act of 2017 would help ensure that the Science Advisory Board (SAB), which directly counsels the U.S. Environmental Protection Agency (EPA) on key scientific and technical issues, is unbiased and transparent in performing its duties. The bill would establish requirements that SAB members are qualified experts, that conflicts of interest and sources of bias are disclosed, that the views of members—including dissenting members—are available to the public, and that the public has the opportunity to participate in the advisory activities of the Board and view EPA's responses. Because EPA relies on SAB reviews and studies to support new regulations, standards, guidance, assessments of risk, and other actions, the actions of the SAB must be transparent and accountable. This is a critical safeguard to assure the public that the data Federal agencies rely on is scientifically sound and unbiased.

The HONEST Act and the EPA Science Advisory Board Reform Act would improve the transparency and trustworthiness of scientific and technical reviews and information that agencies, including EPA, rely on to justify regulatory actions that can significantly affect society. The American public must have confidence that the scientific and technical data driving regulatory action can be trusted. Accordingly, the Chamber supports these important bills.

Sincerely,

NEIL L. BRADLEY,
Senior Vice President & Chief Policy
Officer, Government Affairs.

AMERICAN CHEMISTRY COUNCIL,
Washington, DC, March 29, 2017.

Hon. FRANK LUCAS,
House Committee on Science, Space, and Technology, Washington, DC.

DEAR VICE CHAIRMAN LUCAS: On behalf of the American Chemistry Council (ACC), we want to thank you for introducing H.R. 1431 "EPA Science Advisory Board Reform Act of 2017," to help improve the science employed by the U.S. Environmental Protection Agency (EPA) in the Agency's regulatory decision making processes.

The proposed legislation would increase the transparency and public confidence in the EPA's peer review panels.

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 you for your leadership and commitment to advance this important issue. We look forward to working with you and other cosponsors for quick passage of H.R. 1431.

Sincerely,

CAL DOOLEY,
President and CEO.

NATIONAL COTTON COUNCIL
OF AMERICA,
Washington, DC, March 27, 2017.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and Technology, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: On behalf of the National Cotton Council, thank you and your committee for the work on the EPA Science Advisory Board Reform Act of 2017 (H.R. 1431) and the Honest and Open New EPA Science Treatment Act of 2017—HONEST Act (H.R. 1430). We support both of these critically important bills in an effort to return sound science and transparency to the regulatory process that affects our members and all of agriculture.

The NCC is the central organization of the United States cotton industry. Its members include growers, ginners, cottonseed processors and merchandizers, merchants, co-operatives, warehousers and textile manufacturers. A majority of the industry is concentrated in 17 cotton-producing states stretching from California to Virginia. U.S. cotton producers cultivate between 9 and 12 million acres of cotton with production averaging 12 to 18 million 480-lb bales annually. The downstream manufacturers of cotton apparel and home furnishings are located in virtually every state. Farms and businesses directly involved in the production, distribution and processing of cotton employ more than 125,000 workers and produce direct business revenue of more than \$21 billion. Annual cotton production is valued at more than \$5.5 billion at the farm gate, the point at which the producer markets the crop. Accounting for the ripple effect of cotton through the broader economy, direct and indirect employment surpasses 280,000 workers with economic activity of almost \$100 billion. In addition to the cotton fiber, cottonseed products are used for livestock feed, and cottonseed oil is used as an ingredient in food products as well as being a premium cooking oil.

As you know, agriculture struggles with many factors in the production of fiber, food, and fuel, but the regulatory impact and burdens on our industry have greatly increased over the last several years. In addition, we have found ourselves unable to adequately defend and maintain many of our crop protection products and technologies because we are often unable to access the data used by federal government agencies to place additional restrictions on these products and technologies. We believe these two bills—H.R. 1430 and H.R. 1431—will greatly improve the transparency of regulatory review process. These two bills will substantially enhance the role of sound science that was intended to be a centerpiece of the regulatory process.

We look forward to working with you and your colleagues in Congress to get these bills enacted into law. If you have any questions

or need any additional information from us, please have your staff contact Steve Hensley in our office.

Sincerely,

REECE LANGLEY,
Vice President—Washington Operations.

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
Washington, DC, March 8, 2017.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space and Technology, House of Representatives, Washington, DC.

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

DEAR CHAIRMAN SMITH AND RANKING MEMBER JOHNSON: The U.S. Chamber of Commerce supports the "Honest and Open New EPA Science Treatment (HONEST) Act of 2017" and the "EPA Science Advisory Board Reform Act of 2017." These bills would improve the transparency and reliability of scientific and technical information that Federal agencies rely heavily upon to support new regulatory actions.

The HONEST Act is designed to ensure that the studies and data Federal agencies cite when they write new regulations, standards, guidance, assessments of risk—or take other regulatory action—are clearly identified and available for public review. Additionally, information must be sufficiently transparent to allow study findings to be reproduced and validated. This is a critical safeguard to assure the public that the data Federal agencies rely on is scientifically sound, unbiased, and reliable.

The EPA Science Advisory Board Reform Act of 2017 would help ensure that the Science Advisory Board (SAB), which directly counsels the U.S. Environmental Protection Agency (EPA) on key scientific and technical issues, is unbiased and transparent in performing its duties. The bill would establish requirements that SAB members are qualified experts, that conflicts of interest and sources of bias are disclosed, that the views of members—including dissenting members—are available to the public, and that the public has the opportunity to participate in the advisory activities of the Board and view EPA's responses. Because EPA relies on SAB reviews and studies to support new regulations, standards, guidance, assessments of risk, and other actions, the actions of the SAB must be transparent and accountable. This is a critical safeguard to assure the public that the data Federal agencies rely on is scientifically sound and unbiased.

The HONEST Act and the EPA Science Advisory Board Reform Act would improve the transparency and trustworthiness of scientific and technical reviews and information that agencies, including EPA, rely on to justify regulatory actions that can significantly affect society. The American public must have confidence that the scientific and technical data driving regulatory action can be trusted. Accordingly, the Chamber supports these important bills.

Sincerely,

NEIL L. BRADLEY,
Senior Vice President & Chief Policy
Officer, Government Affairs.

MARCH 8, 2017.

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

DEAR CHAIRMAN SMITH: The American Exploration & Production Council ("AXPC")

and the Independent Petroleum Association of America strongly support the enactment of both the EPA Science Advisory Board Reform Act and the Honest and Open New EPA Science-Treatment Act and are most grateful to you and your committee for your efforts in respect of the important objectives set forth in each of these pieces of proposed legislation.

AXPC is a national trade association representing 33 of America's largest and most active independent natural gas and crude oil exploration and production companies, each with considerable experience drilling, operating, and producing oil and natural gas on federal lands. AXPC members are "independent" in that their operations are limited to exploration for and production of oil and natural gas. Moreover, its members operate autonomously, unlike their fully integrated counterparts, which operate in additional segments of the energy business, such as downstream refining and marketing. AXPC members are leaders in developing and applying innovative and advanced technologies necessary to explore for and produce oil and natural gas, both offshore and onshore, from non-conventional sources.

IPAA represents the thousands of independent oil and natural gas explorers and producers, as well as the service and supply industries that support their efforts, that will most directly be impacted by the U.S. Environmental Protection Agency (EPA) policy decisions to regulate methane directly from the oil and natural gas sector. Independent producers develop about 95 percent of American oil and natural gas wells, produce 54 percent of American oil, and produce 85 percent of American natural gas. Historically, independent producers have invested over 150 percent of their cash flow back into American oil and natural gas development to find and produce more American energy. IPAA is dedicated to ensuring a strong, viable American oil and natural gas industry, recognizing that an adequate and secure supply of energy is essential to the national economy.

The EPA's Science Advisory Board is a critical link in the EPA's policy making process and must, therefore, be unbiased and motivated only to seek the best possible policy result based on the best possible, publicly available, verifiable data. Moreover, open, public debate must be encouraged, not discouraged. The goal must be to get the best possible result, which is why the EPA Science Advisory Board Reform Act should be enacted.

Science used to support or as a basis for regulations or other policies should be based on publicly available scientific and technical data so as to allow for and even encourage independent fact finding and analysis. Transparency is critical to this process. The Honest and Open New EPA Science Treatment Act would accomplish this result.

AXPC and IPAA urge passage of both of these critical pieces of legislation and stand ready to assist in any way you believe we might be able to add value to this process.

Should you have any questions or require additional information contact AXPC or IPAA. Thank you for your good work on these and other issues.

Very truly yours,

V. BRUCE THOMPSON,
President, AXPC.

LEE O. FULLER,
Executive Vice President, IPAA.

CO2 COALITION,
Arlington, VA, March 8, 2017.

House Committee on Science, Space, and Technology, Washington, DC.

DEAR REPRESENTATIVE LAMAR SMITH AND THE COMMITTEE: The CO2 Coalition supports

the purpose and principles of the "Honest and Open New EPA Science Treatment Act of 2017" and the "EPA Science Advisory Board Reform Act of 2017." We would, in fact, support such principles applied on a government-wide basis.

The scientific method demands that the results of scientific studies be capable of replication. While it is generally up to individual scientists, journals and the larger scientific community as to how the replication requirement is satisfied, when it comes to science used to set public policy, there can be no doubt that the relevant methods and data must be publicly available for purposes of replication.

With respect to the federal government obtaining independent science advice from outside advisors, it goes without saying that advisory panels should not be unduly influenced by members hoping to curry government favor or to advance personal agendas. Panels should be truly independent and unbiased. Clear and enforceable standards will help meet this goal.

Sincerely,

WILLIAM HAPPER,
President, CO2 Coalition.

CATO,
Washington, DC, March 8, 2017.

Hon. LAMAR S. SMITH,
Chairman, Committee on Science, Space, and Technology, House of Representatives.

DEAR CONGRESSMAN SMITH: Recently, Committee staff sent me copies of two draft pieces of legislation, the "HONEST Act" and the "EPA Science Advisory Board Reform Act of 2017".

The Cato Institute interprets its tax-exempt status as precluding any specific support of adoption (or recommendation of rejection) for pending legislation. However, I can comment on substantive aspects of such legislation.

The HONEST Act would require that regulations promulgated by EPA be backed by reproducible and transparent science. In the are of climate change, this will surely provoke a timely inquiry as to whether the climate models that are used to calculate the Social Cost of Carbon, and the justification of subsequent regulations, are indeed "science". I would argue that they are not.

A climate model is merely a complicated mathematical statement of multiple hypotheses. These include a prediction of a general warming of surface temperatures, and a greater warming of the tropical troposphere. All subsequent changes in weather regimes—such as rainfall, winter snows, and Atlantic hurricanes derive from the warming and its distribution.

As such, a reasonable test of hypothesis would be to examine the performance of these models as carbon dioxide has accumulated in the atmosphere, and during the period in which we have multiple, independent measures of bulk atmospheric global temperatures, which would be from 1979 to the present. As I noted in recent (February 28) testimony, there is a clear systematic failure of these models, with the central estimate of warming generally twice as large as what is being observed as a whole in the troposphere, and as much as seven times larger than what is being observed in the tropical upper troposphere.

This, and other recent refereed publications are finally beginning to detail the subjective fashion by which the equilibrium climate sensitivity is being derived, argue that these models do not constitute science in the classical sense. It would be more appropriate to call the field "climate studies".

Litigation deriving from the HONEST Act is likely to uncover this problem, with the likelihood that EPA's 2009 Endangerment

Finding, which empowers subsequent regulation of carbon dioxide, should be vacated because of a lack of verifiable science associated with its determination.

The other piece of legislation will open up the EPA Science Advisory Board(s) to more institutional diversity and less political selection.

I hope you find my comments useful, and stand available to answer any questions or provide any amplifications you may desire.

Cordially,

PATRICK J. MICHAELS, Ph.D.,
Director, Center for the Study of Science.

Mr. LUCAS. Mr. Speaker, I would note to the body, part of the challenge that we face here today on this bill is like so many challenges we face as Members of Congress: How do you avoid the short-term perspective? How do you take the long view? How do you set into motion things that, while they might not, perhaps, give us the great advantage in the short-term sense that either side of the room would want, in the long-term, they are in the best interest of the body?

I would remind my colleagues, the Scientific Advisory Board is appointed by the EPA; the EPA is managed by the Director; the Director is appointed by the President of the United States. If you believe that the work product, if you believe that the rules that have been generated by this in recent years reflect your perspective, I understand that, but nothing is ever static.

We have recently had a change of administration. We have a change of direction in the leadership of the EPA. That will be reflected in all the appointments and the actions of the EPA.

I implore my colleagues, we need to work in the perspective of what is in the long-term interest; and that long-term interest is providing scientific review at the SAB that our fellow citizens have confidence in and that will generate good rules and regulations when they have to be created.

Following this course of action advocated in H.R. 1431 will not make my most conservative constituents happy because they want to duplicate what they believe my most liberal constituents have advocated for years, but our goal here is not to empower one or the other side in these perspectives to force their will upon the country. Our responsibility with the SAB is to create a process where we can have confidence in the results and where, when appropriate, the end resulting regulations, the rules that come from it, will be in the best long-term interest of the Nation as a whole.

I know there are requirements in here that, if you have taken money as a scientist to do a research project from the EPA, you have to cool off for 3 years. But what is wrong with allowing a little separation between the people who take money to do the studies and then become the judges of other studies in the knowledge that perhaps the people who have done the studies will judge their studies? What is wrong with that?

And the public disclosure about allowing people with knowledge and expertise to participate, too, if they have

a conflict through these disclosures, we will know. I would hope that whoever leads the EPA on whatever day would act in a responsible fashion.

I just want, through this bill, to change the system so that the perception is out there that the SAB and the scientific process and the rulemaking that comes from it at EPA are being gained by one perspective or the other because that is in no one's best interest.

I know we live in tough times and challenging times to legislate. I think my colleagues know, in the legislation I have worked on before, that I have always worked across the aisle. I have always worked with every perspective within this body. I have always tried to take that long-ball perspective. I know it is a challenging time, but think about that as we continue this well-meaning, good-spirited, very focused debate.

I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I include in the RECORD correspondence in opposition to this bill: a letter from the American Lung Association, the Alliance of Nurses for Healthy Environments, Asthma and Allergy Foundation of America, the American Public Health Association, the National Medical Association, the Health Care Without Harm Association, the Physicians for Social Responsibility, and the American Thoracic Society; along with a letter from the Clean Water Action, Earthjustice, League of Conservation Voters, and Natural Resources Defense Council; as well as a letter from the League of Conservation Voters.

MARCH 27, 2017.

DEAR REPRESENTATIVE: The undersigned health and medical organizations are writing to express our opposition to the EPA Science Advisory Board Reform Act of 2017 and the Honest and Open New EPA Science Treatment Act of 2017. Our organizations are dedicated to saving lives and improving public health.

Science is the bedrock of sound medical and public health decision-making. The best science undergirds everything our organizations do to improve health. Under the Clean Air Act, EPA has long implemented a transparent and open process for seeking advice from the medical and scientific community on standards and measures to meet those standards. Both of these bills would restrict the input of scientific experts in the review of complex issues and add undue industry influence into EPA's decision-making process.

As written, the EPA Science Advisory Board Reform Act would make unneeded and unproductive changes that would:

Restrict the ability of scientists to speak on issues that include their own expertise;

Block scientists who receive any EPA grants from serving on the EPA Scientific Advisory Board, despite their having the expertise and conducted relevant research that earned them these highly competitive grants;

Prevent the EPA Scientific Advisory Board from making policy recommendations, even though EPA administrators have regularly sought their advice in the past;

Add a notice and comment component to all parts of the EPA Scientific Advisory Board actions, a burdensome and unneces-

sary requirement since their reviews of major issues already include public notice and comment; and

Reallocate membership requirements to increase the influence of industry representatives on the scientific advisory panels.

In short, EPA Science Advisory Board Reform Act would limit the voice of scientists, restrict the ability of the Board to respond to important questions, and increase the influence of industry in shaping EPA policy. This is not in the best interest of the American public.

We also have concerns with the HONEST Act. This legislation would limit the kinds of scientific data EPA can use as it develops policy to protect the American public from environmental exposures and permit violation of patient confidentiality. If enacted, the legislation would:

Allow the EPA administrator to release confidential patient information to third parties, including industry;

Bolster industry's flawed arguments to discredit research that documents the adverse health effects of environmental pollution; and

Impose new standards for the publication and distribution of scientific research that go beyond the robust, existing requirements of many scientific journals.

Science, developed by the respected men and women scientists at colleges and universities across the United States, has always been the foundation of the nation's environmental policy. EPA's science-based decision-making process has saved lives and led to dramatic improvements in the quality of the air we breathe, the water we drink and the earth we share. All Americans have benefited from the research-based scientific advice that scientists have provided to EPA.

Congress should adopt policy that fortifies our scientists, not bills that undermine the scientific integrity of EPA's decision-making or give polluters a disproportionate voice in EPA's policy-setting process.

We strongly urge you to oppose these bills.

Sincerely,

KATIE HUFFLING, RN, CNM,
*Director, Alliance of
Nurses for Healthy
Environments.*

HAROLD P. WIMMER,
*National President
and CEO, American
Lung Association.*

GEORGES C. BENJAMIN, MD,
*Executive Director,
American Public
Health Association.*

STEPHEN C. CRANE, PhD,
MPH,
*Executive Director,
American Thoracic
Society.*

CARY SENNETT, MD, PhD,
FACP,
*President & CEO,
Asthma and Allergy
Foundation of Amer-
ica.*

PAUL BOGART,
*Executive Director,
Health Care Without
Harm.*

RICHARD ALLEN WILLIAMS,
MD,
*117th President, Na-
tional Medical Asso-
ciation.*

JEFF CARTER, JD,
*Executive Director,
Physicians for Social
Responsibility.*

MARCH 29, 2017.

DEAR CHAIRMAN SMITH AND RANKING MEMBER JOHNSON: We are writing to express our

strong opposition to the draft legislation, the "EPA Science Advisory Board Reform Act of 2017" (H.R. 1431). The bill, which would amend the Environmental Research, Development, and Demonstration Authorization Act of 1978, would hinder the ability of the Environmental Protection Agency's Science Advisory Board (EPA SAB) to reach timely, independent, objective, credible conclusions that can form the basis of policy. While the bill is not identical to previous versions of this legislation, the bill would still weaken longstanding conflict-of-interest considerations for industry scientists while imposing unprecedented and unnecessary limitations on government-funded scientists, and complicating the SAB review process, with no discernible benefit to EPA or the public.

Our most serious specific concerns with the bill are described below, in the order in which the provisions appear:

P.3, lines 1-8, creating Section 8(b)(2)(C) in the underlying Act, promotes inclusion of panelists with financial conflicts, as long as they disclose their conflicts and obtain a waiver.

As with previous versions of this legislation, the bill shifts the current presumption against including people with financial conflicts on the SAB. The bill appears to effectively mandate the inclusion of scientists with financial conflicts, as long as the conflicts are disclosed, notwithstanding the reference to one portion of existing ethics law. Disclosure does not eliminate the problems that can occur when someone with a conflict influences policy guidance.

Policies and practices to identify and eliminate persons with financial conflicts, interests, and undue biases from independent scientific advisory committees have been implemented by all the federal agencies, the National Academy of Sciences, and international scientific bodies such as the International Agency for Research on Cancer of the World Health Organization. The bill's provisions are inconsistent with a set of nearly universally accepted scientific principles to eliminate or limit financial conflicts. Following these principles is the way agencies, the public, and Congress should ensure their scientific advice is credible and independent.

Moreover, EPA already grants exemptions as needed to allow scientists to participate if their expertise is required despite their potential conflicts.

P.3, line 23 to P.4, line 2, creating a Section 8(b)(2)(H) in the underlying Act, establishes an arbitrary and unwarranted bar on non-industry scientists who are receiving grants or contracts from EPA, or who may do so in the future.

This provision would bar participation by any academic or government scientist who is currently receiving a grant or under contract from EPA, and bar any Board member from seeking any grant or contract from EPA for three years after the end of their term on the Board. This arbitrary and unwarranted limitation on current or future recipients of government funding would severely limit the ability of EPA to get the best, most independent scientists on its premier advisory board—as well as any committees or panels of the board—without any evidence that no-strings government funding, such as research grants, constitute a conflict of interest.

P.6, lines 1-21, amending Section 8(c) of the underlying act, expands the scope of the SAB's work, and increases the burden.

This provision broadens the scope of documents that must be submitted to the SAB for review to include every risk or hazard assessment proposed by the agency, a dramatic and unnecessary expansion. The expansion

would provide an expanded platform for the new industry-stacked panels envisioned by this bill to challenge proposed actions by EPA, including hazard and risk assessments.

P.8, lines 8-23 creating a Section 8(h)(4) in the underlying Act, ensures endless delay, burden and red tape under the guise of "transparency."

This provision would give industry unlimited time to present its arguments to the SAB. Industry representatives already dominate proceedings because of their greater numbers and resources. In addition, the requirement for the SAB to respond in writing to "significant" public comments is vague (e.g., who defines what is "significant," and how?) and would tie down the SAB with needless and burdensome process. It also misconstrues the nature of both the SAB's role and the role of public comment in the SAB process. The role of the SAB is to provide its expert advice to the Agency. The role of the public comments during this phase is to provide informative input to the SAB as it deliberates, but the final product of the SAB deliberation is advice from the panel members, not an agency proposal or decision that requires response to public comment. Members of the public, including stakeholders, have multiple opportunities to provide input directly to the agency.

In short, the "EPA Science Advisory Board Reform Act of 2017" would alter the nature of the SAB, which has been largely successful in providing the EPA expert review of key scientific and technical questions and would encourage industry conflicts in the review of scientific materials. It would also pile new and burdensome requirements on the Board, severely hampering its work and effectiveness. The result would be to further stall and undermine important public health, safety and environmental measures.

We urge you to abandon plans to advance this legislation. We would be happy to discuss our concerns with you further.

Sincerely,

CLEAN WATER ACTION.
EARTHJUSTICE.
LEAGUE OF CONSERVATION
VOTERS (LCV).
NATURAL RESOURCES
DEFENSE COUNCIL.

LEAGUE OF CONSERVATION VOTERS,

Washington, DC, March 28, 2017.

Re Oppose H.R. 1430 and H.R. 1431—Attacks on Science and Public Health.

United States House,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of our millions of members, the League of Conservation Voters (LCV) works to turn environmental values into national, state, and local priorities. Each year, LCV publishes the National Environmental Scorecard, which details the voting records of members of Congress on environmental legislation. The Scorecard is distributed to LCV members, concerned voters nationwide, and the media.

LCV urges you to vote NO on H.R. 1430 and H.R. 1431. These two bills are backdoor attempts to undermine the Environmental Protection Agency's ability to use science in decision-making and obstruct the process for developing effective public health safeguards.

H.R. 1430, the "HONEST Act", would endanger public health by making it extremely difficult for the EPA to use the best available science. The bill contains favorable exemptions for industry and would restrict the health studies that the EPA is able to use by requiring that data is shared with anyone willing to sign a vague confidentiality agreement. These provisions would severely limit

the EPA's ability to use data that includes studies with confidential health information. These types of studies are the basis for the best research on pollution's effects on people, but include individual health records that are legally required to remain confidential. H.R. 1430 would cripple the EPA's ability to develop effective public health safeguards by forcing them to disregard the results of these studies, resulting in less protective standards.

H.R. 1431, the "EPA Science Advisory Board Reform Act of 2017", would undermine the ability of the Science Advisory Board to provide independent, objective, and credible scientific advice to the EPA. This bill would facilitate greater industry influence of the Scientific Advisory Board by weakening conflict-of-interest protections while unnecessarily and arbitrarily limiting the participation of subject experts. Additionally, new burdens imposed on the Board and provisions that allow industry to significantly prolong the Board's scientific review process would delay key public health and environmental protections.

These two bills would significantly undermine the EPA's ability to protect public health and the environment. LCV urges you to REJECT H.R. 1430 and H.R. 1431 and will consider including votes on these bills in the 2017 Scorecard. If you need more information, please call my office and ask to speak with a member of our Government Relations team.

Sincerely,

GENE KARPINSKI,
President.

Ms. EDDIE BERNICE JOHNSON of Texas. I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, less science, more pollution—that is, unbelievably, the Republican plan.

I want to just refer to what my colleague said. This is not long-ball time. This is emergency time where we have to deal with a worldwide environmental crisis, and this bill is just the latest attack on clean air and clean water. And as the threat of climate change becomes increasingly clear, Republicans are trying to reverse the progress that we have made to address this global challenge.

President Trump proposed gutting the Environmental Protection Agency, and this week he signed an executive order to ignore the effects of climate change, increase drilling on Federal lands, and undo efforts to promote renewable energy.

Meanwhile, Republicans in Congress have voted to block environmental protections. Republicans are replacing President Obama's Clean Power Plan with, essentially, a dirty power plan that will pollute our air and contaminate our water and put our children and our grandchildren at risk. Those actions further confirm Republicans' place on the wrong side of history.

It is time for America to lead, not to ignore reality. We should be investing in clean, job-producing energy. We should be at the forefront of the fight against climate change.

My constituents and most Americans expect to drink clean water and breathe fresh air. They want to protect our planet for future generations. Re-

publicans, today, have it backward. We need more science and less pollution.

I urge my colleagues to oppose the bill and resist those attacks on our environment.

Mr. LUCAS. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. SCHWEIKERT), the former chairman of the Science, Space, and Technology's Subcommittee on Environment.

Mr. SCHWEIKERT. Mr. Speaker, have you ever had that *deja vu* all over again? Haven't we been doing this one since, what, 2013, 2014?

I accept I have been off the committee now for 4 years; yet we are talking past each other. I hear the gentlewoman and some of the others say things. It is a 12-page bill. It hasn't changed that much in the last couple Congresses.

How many of us would like to go back to the 2013 inspector general report that basically suggested going this direction because of the conflicts in these advisory committees?

□ 0945

If you really, once again—and this is sort of similar to yesterday's discussion—if you really care about the environment, then you really care about the data and the information and sort of the ethics and honesty of those who are both reviewing the data and giving you advice.

So what happens when the inspector general of the EPA hands you a report and says: These committees, these advisory councils are rife with conflicts? People who are on these advisory boards are making money.

Now, accept much of what we do here in Washington, D.C., if not almost all of it, is about the cash, and it is one of the ugly secrets that is not a secret, but we all pretend. It is always about the money.

Let's try something novel. Let's actually—this was an inspector general's report under the Obama administration. Why wouldn't we step up and respect it? It was very simple.

Hey, we need some more diversity on these advisory boards. And wouldn't it be wonderful if we had people advising us on air quality policy in non-attainment areas, or in regional interests that also weren't selling products, selling reports, making money off data with the EPA?

I mean, if it was reversed, if it was some other agency, if this same set of ethical lapses was reversed, I believe the left would be apoplectic. But the fact of the matter is that so many of these individual organizations that are represented on these advisory boards, that are making money from the EPA, even though they are advising in their own behalf, happen to be friends of the left. That makes it okay.

The ethical standards are the ethical standards. I have no concept how the left can oppose the concept of structured diversity.

Why shouldn't those of us from the Southwest, where substantial portions

of my State are Native American, have a voice? Why should we allow people on these advisory committees who, once again, are selling products, selling data, making a living, making money, one step away from the very work they are advising on?

It is a 12-page bill. It is not that complicated. I will make the argument that it makes our air, our water, the things around us safer, better, healthier, and it makes the way we get there sounder and more ethical, and we remove conflicts that right now taint the very decisions that are coming out of these advisory boards.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Let me thank the other side for their vigorous defense of this bill.

I must say that I am a nurse by profession, and I appreciate the gains we have made for using scientific data to determine what is unhealthy for the people; and it really does disturb me to see these protections being torn apart.

It is really unfortunate that we have spent so much time putting these protections of the people in place to see that, in this administration, they will probably fly away. Only the people of this Nation will be the losers, with more healthcare costs when they don't even want health care; more people not able to get out of dirty areas.

I live in the State of Texas where we have seen the detriment of all of the lack of these protections before they came about. Scientists are in science because they believe in the theories that put forth the procedures for us to follow for the safety and protection of human beings.

I regret that we are at a point this time in history where we are willing to throw all that away because of allowing the polluting companies to have more to say about policy. I regret that I have to stand against my colleagues that feel so strongly about getting rid of these protections, but I cannot sit idly by without saying that our Nation will not be in better shape when we take away all the protections for the people and their health.

Everybody wants clean air and clean food and protections from the damage that a bad environment brings, and all this is taking away those protections.

I ask everyone to vote "no" on this bill.

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

Mr. LUCAS. Mr. Speaker, I include in the RECORD the second set of letters which I referred to earlier.

NATIONAL ASSOCIATION OF
HOME BUILDERS,
Washington, DC, March 8, 2017.

Hon. LAMAR SMITH,
House of Representatives,
Washington, DC.

DEAR CHAIRMAN SMITH: On behalf of the 140,000 members of the National Association of Home Builders (NAHB), I am writing to express NAHB's strong support for the Honest and Open New EPA Science Treatment

Act of 2017 and the EPA Science Advisory Board Reform Act of 2017. These bills would ensure an open and honest scientific process by allowing the public access to the science that underpins regulations developed by Environmental Protection Agency (EPA) and ensuring that scientists advising the EPA on regulatory decisions are not the same scientists receiving EPA grants.

It is important for the EPA to use sound science in order to support their rulemakings. Far too often, the EPA relies on science that lacks transparency and reliability to buttress their rulemakings. This is a consequence of the EPA conducting their scientific review of rulemakings behind closed doors. The EPA frequently ignores scientific integrity by limiting public participation, excluding state and private sector expertise, and pushing a specific agenda by appointing scientists who are biased. In some cases, scientists that have been appointed to review proposed regulations have received EPA grants which the EPA disregards as a conflict of interest.

The EPA should not be able to create costly regulations without being transparent, fair and open to public input when considering the science behind a rulemaking. However, the EPA has sacrificed the integrity of the rulemaking process by using biased science to push their agenda. It is important to address these shortcomings so that future rules can be transparent and honest.

For these reasons, NAHB urges the House Science, Space and Technology Committee to support the Honest and Open New EPA Science Treatment Act of 2017 and the EPA Science Advisory Board Reform Act of 2017, in order to bring transparency and integrity to the regulatory process.

Thank you for giving consideration to our views.

Sincerely,

JAMES W. TOBIN III,
Executive Vice President & Chief Lobbyist,
Government Affairs and Communications Group.

SMALL BUSINESS &
ENTREPRENEURSHIP COUNCIL,
Vienna, VA, March 7, 2017.

Hon. FRANK LUCAS,
House of Representatives,
Washington, DC.

Hon. LAMAR SMITH,
Chairman, Science, Space and Technology Committee, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH AND REPRESENTATIVE LUCAS: On behalf of the Small Business & Entrepreneurship Council (SBE Council) and its more than 100,000 members nationwide, I am pleased to voice our strong support for the "EPA Science Advisory Board Reform Act of 2017."

This important legislation reforms the Environmental Protection Agency's (EPA's) Science Advisory Board (SAB) and its subpanels by strengthening public participation, improving the process for selecting expert advisors, expanding transparency requirements by board members, opening the board's research to public review, and limiting nonscientific policy advice. The reforms proposed by the legislation are especially critical given the growing impact of EPA's regulations on America's small business sector, the controversial science used as the basis to advance certain rulemakings, and the need to ensure that sound science is guiding EPA actions.

Balance, independence and transparency are critical to EPA's scientific advisory process. The bill addresses key concerns with the SAB, such as placing limitations on its

members who receive environmental research grants, applying conflict of interest standards, and ensuring balanced representation on the board's membership.

These are sensible reforms that will strengthen the SAB's integrity and work, and by extension EPA's regulatory process.

SBE Council supports solutions that improve the regulatory system to ensure the voice of small businesses and entrepreneurs is heard and considered, that they operate and compete under rational rules, and transparency throughout the regulatory process. The "EPA Science Advisory Board Reform Act of 2017" is an important legislative initiative that brings fairness, transparency and objectivity to the SAB and EPA rulemakings.

Please let SBE Council know how we can further support your efforts to advance this important legislation into law. Thank you for your leadership, and support of America's small business and entrepreneurial sector.

Sincerely,

KAREN KERRIGAN,
President & CEO.

NATIONAL STONE, SAND &
GRAVEL ASSOCIATION,
Alexandria, VA.

The National Stone Sand and Gravel Association supports both The Honest and Open New Science Treatment Act of 2017 (HONEST Act) and the EPA Science Advisory Board Reform Act of 2017.

Both acts go a long way towards addressing many of the current issues our industry has with regulatory science, and we encourage the House Committee on Science, Space, and Technology to mark up both pieces of legislation.

Our association represents 100,000 jobs across the United States. The regulatory burden on our workforce dramatically impacts our ability to provide cost-effective materials for America's roads, runways, bridges and ports. Our members pride themselves on their commitment to environmental stewardship and are heavily involved in sustainability and reclamation in their communities.

Federal regulations must balance industry's voice and environmental and health concerns. Unfortunately, we often see problems in the scientific underpinnings of regulations when agencies select studies that are neither public nor reproducible as the basis of new rules. This practice chips away at the credibility of any regulatory action and makes it difficult for industries to respect the regulatory process. Our members have the right to comment on regulations and it is not reasonable to ask hard working men and women of any industry to trust that an agency has selected good science without if an agency is not being transparent.

Stakeholder input in the regulatory process is required under federal law and valuable for the justification and the implementation of rules.

NSSGA stands ready to work with Congress to ensure that industry, states and the scientific community can work together openly and honestly to create regulations.

Sincerely,

MICHAEL W. JOHNSON,
President and CEO,
National Stone, Sand & Gravel Association.

PORTLAND CEMENT ASSOCIATION,
Washington, DC, March 7, 2017.
Chairman LAMAR SMITH,
The Committee on Science, Space, and Technology, Washington, DC.

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

DEAR CHAIRMAN SMITH AND RANKING MEMBER BERNICE JOHNSON: The Portland Cement

Association (PCA) supports the EPA Science Advisory Board (SAB) Reform Act of 2017 and the Honest and Open New EPA Science Treatment Act (HONEST Act) of 2017. PCA is the premier policy, research, education, and market intelligence organization serving America's cement manufacturers. PCA members represent 92 percent of U.S. cement production capacity and have facilities in all 50 states. The Association promotes safety, sustainability, and innovation in all aspects of construction, fosters continuous improvement in cement manufacturing and distribution, and generally promotes economic growth and sound infrastructure investment.

PCA supports these bills because they would improve fairness and transparency in the regulatory process, while promoting use of the best available science. As you know, SAB reform is needed to update and strengthen the scientific foundation of EPA's regulatory decisions. The SAB Reform Act would improve the Science Advisory Board by ensuring balance among its members and providing better public access to scientific information and data. SAB reform is an important step toward improving EPA's regulatory process, public access to information, and transparency.

The HONEST Act would similarly improve transparency and access to information. Scientists reviewing agency studies and rulemakings need a fair chance to evaluate and validate the studies EPA relies on in the rulemaking process. The HONEST Act protects the sensitive and confidential information often covered by confidentiality agreements, while allowing EPA to make critical information available for public comment and access. The HONEST Act follows the data access requirements of many scientific journals. This level of transparency and potential for peer review are critical to improving regulatory decisions.

PCA supports the Committees' efforts to improve accountability, public access, and better science in the EPA rulemaking process. Please feel free to contact Rachel Derby, PCA's Vice President of Government Affairs, for further information on this matter.

Sincerely,

A. TODD JOHNSTON,

Executive Vice President, Government Affairs.

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 DUVALL,
President.

MARCH 9, 2017.

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

DEAR CHAIRMAN SMITH: We are writing to express our strong support for H.R. 1430, the "Honest and Open New EPA Science Treatment Act of 2017" (HONEST Act), and H.R. 1431, the "EPA Science Advisory Board Reform Act of 2017."

For too long now, the Environmental Protection Agency has hidden key scientific data from the public and corrupted its own boards of outside science advisors. This subversion of science and the regulatory process has produced costly, job-killing regulations of dubious-to-no merit to public health and the environment.

We welcome these bills in the names of transparent government, and unbiased and balanced peer review.

Sincerely,

CRAIG RICHARDSON,
President, Energy & Environment Action Team (E&E Action).

AMY OLIVER COOKE,
Executive vice president, Independence Institute.

KATHLEEN SGAMMA,
President, Western Energy Alliance.

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

Mr. Speaker, again, I reiterate to my colleagues, this is a situation where the goal really is not to empower one perspective or one faction over another. The goal, ultimately, of this bill—and, yes, this did come out of the inspector general's report, the initial work and effort. The goal of the bill is to add transparency, accountability. The goal of the bill is to increase the American people's confidence in the work product that is then used by the EPA to craft the rules and regulations that impact every life in this country on a daily basis.

Whatever your perspective may be, remember, the pendulum in this great Nation, when it comes to the executive branch, in my time, every 8 years, has swung back and forth. Just because at the present moment or the past moment you think you got your perspective's way, or if perhaps you think with the pendulum swing now you will get your perspective's way, that is not what the focus should be here.

I would also remind my colleagues, in my 23 years, I have served in the minority soon to be for 4½ years. But the other 18½ years, I have served in the majority. I have served in the majority. So when I step up to you and say we can do better, we can enhance the quality of information, we can do it in a way that the American people have more confidence in ultimately what

goes on, and we can do it in a way that makes it more difficult for anyone to hijack the process, I say that sincerely.

There is nothing wrong with full disclosure for everyone who can add to the process, who should be available for consideration. There is nothing wrong with a financial cooling-off between benefiting from the studies and analyzing someone else's studies. There is nothing wrong with this.

But if you stay with the status quo, this Board and this Agency are in change. Get ready for 8 years of a dramatically different way of doing things.

Now, maybe you are so confident that the pendulum will swing back again that you are willing to accept that. But as for me, I want to stay between the lines. I want to focus in ways that, for the long term, represent the best interests of this great country.

Mr. Speaker, I ask my colleagues to vote for H.R. 1431. I ask my colleagues to think about 10 or 20 years down the road. I ask my colleagues to put the long-term best interests of their constituents first.

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

Mr. PETERSON. Mr. Speaker, I am proud to be an original co-sponsor of H.R. 1431, the EPA Science Advisory Board Reform Act of 2017 and urge my colleagues to vote in support.

The Science Advisory Board's work is important to making sure the EPA considers all scientific information when writing regulations that will impact American farmers, families and small businesses. Unfortunately, concerns have been raised about the current review process.

This legislation addresses those concerns and builds on the work done in the 2014 Farm Bill to create an agriculture committee under the Science Advisory Board. This bill is necessary to ensure the EPA takes into account the best information possible with input from public and independent stakeholders.

H.R. 1431 will ensure a balanced and independent Science Advisory Board and will help alleviate some of the unintended consequences surrounding EPA regulations.

The SPEAKER pro tempore (Mr. FLEISCHMANN). All time for debate has expired.

Pursuant to House Resolution 233, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. FOSTER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. FOSTER. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Foster moves to recommit the bill H.R. 1431 to the Committee on Science, Space, and Technology with instructions to

report the same back to the House forthwith, with the following amendments:

Page 5, line 4, strike “and”.

Page 5, line 9, strike the period and insert “; and”.

Page 5, after line 9, insert the following:

“(I) a Board member, during that member's term of service on the Board and for a period of 3 years following the end of that member's service on the Board, shall not be employed with any corporate or other entity which has interests before the Board.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois is recognized for 5 minutes in support of his motion.

Mr. FOSTER. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

This amendment is a commonsense and logical addition to this bill. It will help ensure that members of the EPA's Science Advisory Board will act in the best interests of the American people and our environment.

I think that we can all agree that, now more than ever, we need integrity in government. And this amendment would simply prohibit any member of the EPA's Science Advisory Board from being employed by any entity, corporate or otherwise, which has interests before the Board. This prohibition would be in place during the member's time on the Board and would extend for 3 years after they leave the Board.

My Republican colleagues have taken up this bill with the stated intent of protecting the scientific integrity of the EPA, and this amendment will go a long way to making sure that they keep their word.

The underlying bill also includes a similar prohibition on board members applying for a grant or contract from the EPA during their service or for 3 years after. And as the chairman just said, there is nothing wrong with a financial cooling-off period.

However, the authors of this bill are apparently concerned that members of the Board would be tempted to favor environmental concerns in the hopes of getting an EPA grant. Therefore, it also stands to reason that they should worry equally about a board member tilting the scales in favor of a specific industry in return for future financial compensation or career advancement, the classic revolving door problem.

So what this motion to recommit does is something that I think we all should be able to agree is a good thing. We have seen too many people in the President's Cabinet who appear to have connections too close to the big interests they regulate rather than the interests of the American people.

This amendment would ensure that no one can unduly personally profit from their time at the EPA, and that members are there to represent the interests of the American people and our environment rather than their own self interests.

Finally, I would like to close by bringing up a more general question of why we seem to be having variations on this repetitive theme of whether or not we can pollute our way out of the structural and economic challenges that our country faces.

Mr. Speaker, you and your party have been very successful at selling yourselves and your supporters on the idea that if we can just, once again, dump unlimited pollutants into our rivers and streams, into our groundwater, our food, air, lungs, our bloodstreams and those of our children, then everything will be great again in America.

This week, we saw our President surrounded by earnest and hopeful young coal miners as he gutted environmental regulations and promised them that all their jobs were coming back. And then we have seen interviews on TV with desperate families in Appalachia using up their life savings to pay for training for underground coal jobs that they have been told will be coming back now that Donald Trump is President.

Then we have seen interviews with coal executives quietly pointing out that those jobs will not come back; that it was machines and fundamental economic forces that took those jobs in coal country.

The story is the same in oil country, where even as oil production has rebounded, the jobs and wages have not come back because of automation, the same way that machines took the jobs in rural America, manufacturing America, and increasingly middle class, white-collar America.

□ 1000

So until we realize that we are all in this together and that a fundamental restructuring of our economy is needed rather than a mindless retraction of the protections on environmental quality on the land that we will pass on to our children, then I am afraid that we are destined to repeat this infinite loop of marginally productive debate. I urge my colleagues to vote “yes” on this motion to recommit.

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

Mr. LUCAS. I claim the time in opposition to the motion, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Mr. Speaker, I look at this language—and I am a farmer by trade; I am not an attorney; I will confess that—but the phrase “or other entity” seems to be a very broad concept. How will that affect people who work for research foundations at institutions of higher education? How will that affect entities, people who are part of so-called think tanks in places like Washington, D.C.? I personally believe the language is intended more to simply turn the bill inside out.

On that basis, I would ask my colleagues to reject the motion to recom-

mit with instructions and to pass the underlying bill.

But I go one step further, and I offer this in the most sincerest of ways: if you look at the discussion today and if you look at the discussion that has gone on for some time on these issues, it is almost as though there are those with certain perspectives who are trying to force their will—their perspective of what is right and wrong scientifically or economically or socially—on the rest of the country, on the rest of us, and, for that matter, on the rest of the world.

That is why I am the author of this bill. No one entity should have the power by manipulating the bureaucratic process or the rulemaking process to enforce their definitions of everything on the rest of us. We have both the right and the responsibility to judge this information and to make decisions about what is in our enlightened self-interest, as the old economist would say, or in the best interest of the country or of society as a whole.

That is why I want all of us—the great American people—to have access and some certainty about the people and the process that are driving everything in our world.

Reject the motion, pass the bill, create greater transparency, incorporate more input, and when it is necessary to have rules and regulations, generate good rules and regulations so that we all have a chance to prosper and to live up to our potential in this country. Don't let the tyranny of the idealistic—whatever perspective they may have—drive us all into despair and destruction.

With that, I respectfully ask my colleagues to reject this motion and pass the underlying bill.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. FOSTER. 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 passage of the bill.

The vote was taken by electronic device, and there were—yeas 189, nays 233, not voting 7, as follows:

[Roll No. 207]

YEAS—189

Adams	Blunt Rochester	Capuano
Aguilar	Bonamici	Carbajal
Barragán	Boyle, Brendan	Cárdenas
Bass	F.	Carson (IN)
Beatty	Brady (PA)	Cartwright
Bera	Brown (MD)	Castor (FL)
Beyer	Brownley (CA)	Castro (TX)
Bishop (GA)	Bustos	Chu, Judy
Blumenauer	Butterfield	Cioccilino

Clark (MA) Jayapal
 Clarke (NY) Jeffries
 Clay Johnson (GA)
 Cleaver Johnson, E. B.
 Clyburn Jones
 Cohen Kaptur
 Connolly Keating
 Conyers Kelly (IL)
 Cooper Kennedy
 Correa Khanna
 Costa Kihuen
 Courtney Kildee
 Crist Kilmer
 Crowley Kind
 Cuellar Krishnamoorthi
 Cummings Kuster (NH)
 Davis (CA) Langevin
 Davis, Danny Larsen (WA)
 DeFazio Larson (CT)
 DeGette Lawrence
 Delaney Lawson (FL)
 DeLauro Lee
 DelBene Levin
 Demings Lewis (GA)
 DeSaulnier Lieu, Ted
 Deutch Lipinski
 Dingell Loebuck
 Doggett Lofgren
 Doyle, Michael Lowenthal
 F. Lowey
 Ellison Lujan Grisham,
 Engel M.
 Eshoo Lujan, Ben Ray
 Espallat Lynch
 Esty Maloney,
 Evans Carolyn B.
 Foster Maloney, Sean
 Frankel (FL) Matsui
 Fudge McCollum
 Gabbard McEachin
 Gallego McGovern
 Garamendi McNerney
 Gonzalez (TX) Meeks
 Gottheimer Meng
 Green, Al Moore
 Green, Gene Moulton
 Grijalva Murphy (FL)
 Gutiérrez Nadler
 Hanabusa Napolitano
 Hastings Neal
 Heck Nolan
 Higgins (NY) Norcross
 Himes O'Halleran
 Hoyer O'Rourke
 Huffman Pallone
 Jackson Lee Panetta

NAYS—233

Abraham Comer
 Aderholt Comstock
 Allen Conaway
 Amash Cook
 Amodei Costello (PA)
 Arrington Cramer
 Babin Crawford
 Bacon Culberson
 Banks (IN) Curbelo (FL)
 Barletta Davidson
 Barr Davis, Rodney
 Barton Denham
 Bergman Dent
 Biggs DeSantis
 Bilirakis DesJarlais
 Bishop (MI) Diaz-Balart
 Bishop (UT) Donovan
 Black Duncan (SC)
 Blackburn Duncan (TN)
 Blum Dunn
 Bost Emmer
 Brady (TX) Farenthold
 Brat Faso
 Bridenstine Ferguson
 Brooks (AL) Fitzpatrick
 Brooks (IN) Fleischmann
 Buchanan Flores
 Buck Fortenberry
 Bucshon Foxx
 Budd Franks (AZ)
 Burgess Frelinghuysen
 Byrne Gaetz
 Carter (GA) Gallagher
 Carter (TX) Garrett
 Chabot Gibbs
 Chaffetz Gohmert
 Cheney Goodlatte
 Coffman Gosar
 Cole Gowdy
 Collins (GA) Granger
 Collins (NY) Graves (GA)

Pascarell
 Payne
 Pelosi
 Perlmutter
 Peters
 Peterson
 Pingree
 Pocan
 Polis
 Price (NC)
 Raskin
 Rice (NY)
 Richmond
 Rosen
 Roybal-Allard
 Ruiz
 Ruppersberger
 Ryan (OH)
 Sánchez
 Sarbanes
 Schakowsky
 Schiff
 Schneider
 Schrader
 Scott (VA)
 Scott, David
 Serrano
 Sewell (AL)
 Shea-Porter
 Sherman
 Sires
 Smith (WA)
 Soto
 Palazzo
 Speier
 Suozzi
 Swalwell (CA)
 Takano
 Thompson (CA)
 Thompson (MS)
 Titus
 Tonko
 Torres
 Tsongas
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Walz
 Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Welch
 Yarmuth

Latta
 Lewis (MN)
 LoBiondo
 Long
 Loudermilk
 Love
 Lucas
 Luetkemeyer
 MacArthur
 Marchant
 Marshall
 Massie
 Mast
 McCarthy
 McCaul
 McClintock
 McHenry
 McKinley
 McMorris
 Rodgers
 McSally
 Meadows
 Meehan
 Messer
 Mitchell
 Moolenaar
 Mooney (WV)
 Mullin
 Murphy (PA)
 Newhouse
 Noem
 Nunes
 Olson
 Palazzo
 Palmer
 Paulsen
 Pearce
 Perry
 Calvert
 Duffy
 Marino

Pittenger
 Poe (TX)
 Poliquin
 Posey
 Ratcliffe
 Reed
 Reichert
 Renacci
 Rice (SC)
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rohrabacher
 Rokita
 Rooney, Francis
 Rooney, Thomas
 J.
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Rouzer
 Royce (CA)
 Russell
 Rutherford
 Sanford
 Scalise
 Schweikert
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Shuster
 Simpson
 Sinema
 Smith (MO)
 Smith (NE)
 Quigley
 Rush
 Slaughter

NOT VOTING—7

□ 1029

Messrs. FLORES, CRAWFORD, GROTHMAN, Ms. GRANGER, and Mrs. BLACKBURN changed their vote from “yea” to “nay.”

Mes. BLUNT ROCHESTER, JACKSON LEE, Messrs. HIGGINS of New York, and LANGEVIN changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. SESSIONS was allowed to speak out of order.)

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR H.R. 1343, ENCOURAGING EMPLOYEE OWNERSHIP ACT, AND H.R. 1219, SUPPORTING AMERICA'S INNOVATORS ACT

Mr. SESSIONS. Mr. Speaker, yesterday, the Rules Committee issued announcements outlining the amendment processes for two measures likely to come before the Rules Committee next week.

An amendment deadline has been set for Monday, April 3, at 10 a.m., for the following measures:

H.R. 1343, Encouraging Employee Ownership Act; and H.R. 1219, Supporting America's Innovators Act.

The text of these measures is available on the Rules Committee website. Feel free to contact me or my staff if anyone has any questions.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Ms. EDDIE BERNICE JOHNSON of Texas. 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 229, noes 193, not voting 7, as follows:

[Roll No. 208]

AYES—229

Abraham
 Aderholt
 Allen
 Amash
 Amodei
 Arrington
 Babin
 Bacon
 Banks (IN)
 Barletta
 Barr
 Barton
 Bergman
 Biggs
 Bilirakis
 Bishop (MI)
 Bishop (UT)
 Black
 Blackburn
 Blum
 Bost
 Brady (TX)
 Brat
 Bridenstine
 Brooks (AL)
 Brooks (IN)
 Buchanan
 Buck
 Bucshon
 Budd
 Burgess
 Byrne
 Carter (GA)
 Carter (TX)
 Chabot
 Chaffetz
 Cheney
 Coffman
 Cole
 Collins (GA)
 Collins (NY)
 Comer
 Comstock
 Conaway
 Cook
 Cramer
 Crawford
 Culberson
 Davidson
 Davis, Rodney
 Denham
 Dent
 DeSantis
 DesJarlais
 Diaz-Balart
 Donovan
 Duncan (SC)
 Duncan (TN)
 Dunn
 Emmer
 Farenthold
 Faso
 Ferguson
 Fleischmann
 Flores
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gaetz
 Gallagher
 Garrett
 Gibbs
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (GA)
 Graves (LA)
 Graves (MO)
 Griffith
 Grothman
 Guthrie
 Harper
 Harris
 Hartzler
 Hensarling
 Herrera Beutler
 Hice, Jody B.
 Higgins (LA)
 Hill
 Holding
 Hollingsworth
 Hudson
 Huizenga
 Hultgren
 Hunter
 Hurd
 Issa
 Jenkins (KS)
 Jenkins (WV)
 Johnson (LA)
 Johnson (OH)
 Johnson, Sam
 Jordan
 Joyce (OH)
 Katko
 Kelly (MS)
 Kelly (PA)
 King (IA)
 King (NY)
 Kinzinger
 Knight
 Kustoff (TN)
 Labrador
 LaHood
 LaMalfa
 Lamborn
 Lance
 Lammie
 Latta
 Lewis (MN)
 LoBiondo
 Long
 Loudermilk
 Love
 Lucas
 Luetkemeyer
 MacArthur
 Marchant
 Marshall
 Massie
 Mast
 McCarthy
 McCaul
 McClintock
 McHenry
 McKinley
 McMorris
 Rodgers
 McSally
 Meadows
 Meehan
 Messer
 Mitchell
 Moolenaar
 Mooney (WV)
 Murphy (PA)
 Newhouse
 Noem
 Nunes
 Olson
 Palazzo
 Palmer
 Paulsen
 Pearce
 Perry
 Peterson
 Pittenger
 Poe (TX)
 Poliquin
 Posey
 Ratcliffe
 Reed
 Hensarling
 Herrera Beutler
 Hice, Jody B.
 Higgins (LA)
 Hill
 Holding
 Hollingsworth
 Hudson
 Huizenga
 Hultgren
 Hunter
 Hurd
 Issa
 Jenkins (KS)
 Jenkins (WV)
 Johnson (LA)
 Johnson (OH)
 Johnson, Sam
 Jordan
 Joyce (OH)
 Katko
 Kelly (MS)
 Kelly (PA)
 King (IA)
 King (NY)
 Kinzinger
 Knight
 Kustoff (TN)
 Labrador
 LaHood
 LaMalfa
 Lamborn
 Lance
 Lammie
 Latta
 Lewis (MN)
 LoBiondo
 Long
 Loudermilk
 Love
 Lucas
 Luetkemeyer
 MacArthur
 Marchant
 Marshall
 Massie
 Mast
 McCarthy
 McCaul
 McClintock
 McHenry
 McKinley
 McMorris
 Rodgers
 McSally
 Meadows
 Meehan
 Messer
 Mitchell
 Moolenaar
 Mooney (WV)
 Murphy (PA)
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 Jenkins (WV)
 Johnson (LA)
 Johnson (OH)
 Johnson, Sam
 Jordan
 Joyce (OH)
 Katko
 Kelly (MS)
 Kelly (PA)
 King (IA)
 King (NY)
 Kinzinger
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 Kustoff (TN)
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 LaHood
 LaMalfa
 Lamborn
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 Lammie
 Latta
 Lewis (MN)
 LoBiondo
 Long
 Loudermilk
 Love
 Lucas
 Luetkemeyer
 MacArthur
 Marchant
 Marshall
 Massie
 Mast
 McCarthy
 McCaul
 McClintock
 McHenry
 McKinley
 McMorris
 Rodgers
 McSally
 Meadows
 Meehan
 Messer
 Mitchell
 Moolenaar
 Mooney (WV)
 Murphy (PA)
 Newhouse
 Noem
 Nunes
 Olson
 Palazzo
 Palmer
 Paulsen
 Pearce
 Perry
 Peterson
 Pittenger
 Poe (TX)
 Poliquin
 Posey
 Ratcliffe
 Reed
 Hensarling
 Herrera Beutler
 Hice, Jody B.
 Higgins (LA)
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 Holding
 Hollingsworth
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 Hultgren
 Hunter
 Hurd
 Issa
 Jenkins (KS)
 Jenkins (WV)
 Johnson (LA)
 Johnson (OH)
 Johnson, Sam
 Jordan
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Boyle, Brendan F.	Green, Al	O'Halleran
Brady (PA)	Green, Gene	O'Rourke
Brown (MD)	Grijalva	Pallone
Brownley (CA)	Gutiérrez	Panetta
Bustos	Hanabusa	Pascarell
Butterfield	Hastings	Payne
Capuano	Heck	Pelosi
Carbajal	Higgins (NY)	Perlmutter
Cárdenas	Himes	Peters
Carson (IN)	Hoyer	Pingree
Cartwright	Huffman	Pocan
Castor (FL)	Jackson Lee	Polis
Castro (TX)	Jayapal	Price (NC)
Chu, Judy	Jeffries	Raskin
Cicilline	Johnson (GA)	Rice (NY)
Clark (MA)	Johnson, E. B.	Richmond
Clarke (NY)	Kaptur	Ros-Lehtinen
Clay	Keating	Rosen
Cleaver	Kelly (IL)	Roybal-Allard
Clyburn	Kennedy	Ruiz
Cohen	Khanna	Ruppersberger
Connolly	Kihuen	Ryan (OH)
Conyers	Kildee	Sánchez
Cooper	Kilmer	Sarbanes
Correa	Kind	Schakowsky
Costa	Krishnamoorthi	Schiff
Costello (PA)	Kuster (NH)	Schneider
Courtney	Langevin	Scott (VA)
Crist	Larsen (WA)	Scott, David
Crowley	Larson (CT)	Serrano
Cuellar	Lawrence	Sewell (AL)
Cummings	Lawson (FL)	Shea-Porter
Curbelo (FL)	Lee	Sherman
Davis (CA)	Levin	Sinema
Davis, Danny	Lewis (GA)	Sires
DeFazio	Lieu, Ted	Smith (WA)
DeGette	Lipinski	Soto
Delaney	Loeb sack	Speier
DeLauro	Lofgren	Stefanik
DelBene	Lowenthal	Suo zzi
Demings	Lowe y	Swalwell (CA)
DeSaulnier	Lujan Grisham,	Takano
Deutch	M.	Thompson (CA)
Dingell	Luján, Ben Ray	Thompson (MS)
Doggett	Lynch	Titus
Doyle, Michael F.	Maloney,	Tonko
Ellison	Carolyn B.	Torres
Engel	Maloney, Sean	Tsongas
Eshoo	Matsui	Vargas
Espallat	McCollum	Veasey
Esty	McEachin	Vela
Evans	McGovern	Velázquez
Fitzpatrick	McNerney	Visclosky
Foster	Meeks	Walz
Frankel (FL)	Meng	Wasserman
Fudge	Moore	Schultz
Gabbard	Moulton	Waters, Maxine
Galleo	Murphy (FL)	Watson Coleman
Garamendi	Nadler	Welch
Gonzalez (TX)	Napolitano	Wilson (FL)
Gottheimer	Neal	Yarmuth
	Nolan	
	Norcross	

NOT VOTING—7

Calvert	Mullin	Slaughter
Duffy	Quigley	
Marino	Rush	

□ 1040

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CALVERT. Mr. Speaker, on rollcall votes 207 and 208 I was unable to vote due to obligations in my congressional district. Had I been present, I would have voted “no” on rollcall 207, the Motion to Recommit, and “yes” on rollcall 208, related to H.R. 1431, the EPA Science Advisory Board Reform Act of 2017, which would ensure EPA administrator and the Science Advisory Board make public all reports and relevant scientific information at the same time they are received by members of the Science Advisory Board.

PERSONAL EXPLANATION

Mr. DUFFY. Mr. Speaker, on March 30, 2017, on rollcall No. 207 on motion to recommit with instructions, I am not recorded. Had I been present, I would have voted “nay.”

On rollcall No. 208 on final passage of H.R. 1431, the EPA Science Advisory Board Reform Act of 2017, I am not recorded. Had I been present, I would have voted “aye.”

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 203, 204, 205, 206, 207, and 208. Had I been present, I would have voted “aye” on votes 205 and 207. I would have voted “nay” on votes 203, 204, 206, and 208.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I rise for the purpose of inquiring of the majority leader the schedule for the week to come.

I yield to the gentleman from California (Mr. MCCARTHY), my friend.

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

Mr. MCCARTHY. I thank the gentleman for yielding.

Mr. Speaker, on Monday the House will meet at noon for morning-hour and 2 p.m. for legislative business. Votes will be postponed until 6:30.

On Tuesday and Wednesday, the House will meet at 10 a.m. for morning-hour and noon for legislative business.

On Thursday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m.

On Friday, no votes are expected in the House.

Mr. Speaker, the House will consider a number of suspensions next week, a complete list of which will be announced by close of business tomorrow.

In addition, the House will consider several bipartisan measures from the Committee on Financial Services that will create jobs and support American entrepreneurship. First, H.R. 1343, the Encouraging Employee Ownership Act, sponsored by Representative RANDY HULTGREN, which will open up more opportunities for employees to share a stake in the companies they work for every day.

Next, H.R. 1219, the Supporting America's Innovators Act, sponsored by Chief Deputy Whip PATRICK MCHEENRY. This bill will increase access to capital for America's small businesses and startups and ensure our entrepreneurs have the best chance to succeed. Mr. MCHEENRY's bill is also a key component of our Innovation Initiative in the House, which aims to accelerate private sector innovation and leverage more innovation in government.

Finally, Mr. Speaker, additional legislative items are possible, and I will relay scheduling information to Members if any items are added.

Mr. HOYER. I thank the gentleman for that information.

As the majority leader knows, after today we will have 8 legislative days left before the CR runs out on April 28.

We will be gone, as the gentleman knows, for 2 weeks, or a few more days than that, for the Easter break. We have not enacted any appropriation bills except for the MILCON-VA and the Defense Appropriation bill we passed through this House in a bipartisan vote and that is pending in the Senate.

□ 1045

Given the limited number of days in session before April 28, we are going to require relatively quick action if we are to fund the government for the balance of the year past April 28.

Mr. Leader, can you tell me—because no appropriation bill or CR or omnibus was on the schedule for next week, can the gentleman tell me when he expects some form of continuing to authorize expenditures for the balance of the year between now and September 30 will occur?

Mr. Speaker, I yield to my friend.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

Discussions are ongoing about the appropriations process and how to ensure the government is funded after April 28.

I thank my good friend from Maryland for being a good faith negotiating partner in this effort.

I do not currently anticipate floor action next week. But as always, I will advise Members as soon as possible when action is scheduled in the House.

Mr. HOYER. Mr. Speaker, I thank the gentleman for those comments.

Does the gentleman contemplate the possibility of a short-term CR being necessary?

Mr. Speaker, I yield to my friend.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding again.

I was encouraged by the bipartisan agreements we reached on the MILCON/VA bill and the defense appropriations bill. As you know, together, these two bills make up roughly one half of our total discretionary spending.

However, I was disappointed to hear that Democrats have apparently walked away from the negotiating table on further bipartisan agreements like these. Personally, I was disappointed to hear rumors that Democrats are hoping for a government shutdown.

The New York Times is reporting that, “as a minority party struggling to show resistance in the era of President Trump”—Democrats—“are now ready to let the lights of government go dark.”

I sincerely hope these rumors and reports are not true. I know the gentleman disagrees with ever having a government shutdown.

As I mentioned, discussions are ongoing about how to ensure the government is funded after April 28. I want everybody to know that my door is always open, especially to you, my friend from Maryland, and any other House