

of the United States because America needs universal, single-payer healthcare. We spend more—over \$9,000 per person—on healthcare than any other nation in the world.

But for all that money, Mr. Speaker, we still have tens of millions of uninsured. We have the highest infant mortality rate of any wealthy nation on Earth, and we are last, last, in life expectancy among wealthy countries.

Mr. Speaker, in a few moments I expect to ask for unanimous consent that I may hereafter be considered the first sponsor of H.R. 676, the Expanded & Improved Medicare For All Act. The bill was originally introduced by my friend, John Conyers. I have his support in picking up the mantle where he left it and for the purposes of adding cosponsors and requesting reprintings. I will do that in a moment.

But, Mr. Speaker, the money that we are spending on healthcare isn't going to the patients; it isn't going to the surgeons. It is going to the pharmaceutical industry and the insurance industry, who are raking in record profits every day and are the major beneficiaries of our policy.

#### PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 676

Mr. ELLISON. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 676, the Expanded & Improved Medicare For All Act, a bill originally introduced by Representative John Conyers from Michigan, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

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

There was no objection.

#### TAKE ACTION TO ABATE THE GUN EPIDEMIC

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

Mr. HASTINGS. Mr. Speaker, in a few moments I will manage today's rules; but right now, I would like to thank the staff of the Rules Committee on both sides for the hard work that they do, especially the staff director for the Democrats, Don Sisson.

I would like to also take a moment to recognize Ms. Kira Sisson, a senior from Albion High School in western New York. Kira is here with us today, along with classmates from her school. Don is her uncle.

Today we will not address Dreamers. Today we will not address the gun epidemic. I encourage all adult Americans to work with the students on March 24 that are coming here to Washington in a march for what they describe as our future. I hope adult Americans will encourage massive attendance at this march, and that this Congress will take action to abate the gun epidemic.

#### ENOUGH IS ENOUGH

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

Ms. JACKSON LEE. Mr. Speaker, in my district, over the past couple of days, a baby, 8 years old, has been shot. A baby, 5 years old, has been shot. Other individuals have been shot and killed. And, of course, the death and the pillage of mass murders continue, and those in Florida are still suffering, and no gun action at all, no debate.

Additionally, young people are in the streets, their families are fearful because the DACA fix promised by this President has not been done.

We need to do our work, if we are Americans; we need to do it for good for all of those who live within the confines of this Nation.

Then, finally, we had an election yesterday in Texas full of mistakes and closed polls and nonworking machines. Yet, the President of the United States has \$120 million to safeguard our elections in 2018 and he has done absolutely nothing.

It is a demand that we begin to look at the Russian intrusion, faulty voting polls and machines, and begin to address the American people's right and civil liberty of voting—one vote, one person—without the fear and the apprehension of Russians intruding into an election in 2018 in order to skew the Federal elections.

Enough is enough. It is time for us to act.

#### RECOGNIZING REPRESENTATIVE MARCY KAPTUR FOR WOMEN'S HISTORY MONTH

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, as we celebrate Women's History Month and the resilient women who have challenged the status quo, I am honored to recognize my congressional colleague and dear friend, Representative MARCY KAPTUR.

In 1981, MARCY defeated the incumbent in an upset that gained national attention, leading her to become the longest-serving woman in the U.S. House of Representatives and a senior member of the powerful and highly coveted Appropriations Committee.

I met MARCY during my first tenure in the House back in 1989, and at that time there were only 31 women serving in all of Congress. MARCY welcomed me with open arms, and I quickly realized that MARCY embodies what any legislator should be: principled, truthful, and a fierce fighter for her constituents.

It was because of MARCY's vision and tireless advocacy that Americans from all over the country are now able to visit the World War II Memorial here in D.C. and honor the dedication and sacrifice of the brave men and women who defended our country.

MARCY, you are an inspiration to women everywhere, and I want to thank you for your commitment to advocate for so many important issues that matter to all Americans. Congratulations on this honor, the longest-serving woman in U.S. history.

#### DEMAND SERIOUS TREATMENT OF THE GUN VIOLENCE PROBLEM

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

Mr. RASKIN. Mr. Speaker, one of the great things about our job is we have all these wonderful young people come to us from all over the world. And in school, they read about the social contract. They read John Locke. They read Thomas Hobbes. They read Rousseau. The whole premise of the social contract is that we will be safer in civil society together than we would be if we stay in the state of nature, which Hobbes described as solitary, poor, nasty, brutish, and short.

But we are failing the elemental test and obligation of civil government because we are not keeping our people safe when a teenager can access an AR-15, go into a school, and assassinate at point-blank range 17 teachers and students.

And what are we doing here in Congress?

Nothing. Here in the House of Representatives, we have not had a single hearing on gun violence. We have not had a single hearing on a universal criminal and mental background check, which is supported by 97 percent of the American people. It is almost unanimous, and we can't even have a hearing about it.

We are demanding a hearing, and we are demanding, with the young people who are coming to Washington on Saturday, March 24, serious treatment of the gun violence problem which does not belong in a civil society.

#### PROVIDING FOR CONSIDERATION OF H.R. 1119, SATISFYING ENERGY NEEDS AND SAVING THE ENVIRONMENT ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 1917, BLOCKING REGULATORY INTERFERENCE FROM CLOSING KILNS ACT OF 2017

Ms. CHENEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 762 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 762

*Resolved*, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1119) to establish the bases by which the Administrator of the Environmental Protection Agency shall issue, implement, and enforce certain emission limitations and allocations for existing electric utility steam generating units that convert coal refuse into energy. All points of

order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1917) to allow for judicial review of any final rule addressing national emission standards for hazardous air pollutants for brick and structural clay products or for clay ceramics manufacturing before requiring compliance with such rule. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-62 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from Wyoming is recognized for 1 hour.

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

GENERAL LEAVE

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

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

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

Mr. Speaker, I rise in support of House Resolution 762, which provides for the consideration of H.R. 1119, the Satisfying Energy Needs and Saving the Environment—or SENSE—Act, and provides for consideration of H.R. 1917, the Blocking Regulatory Interference from Closing Kilns—or BRICK—Act of 2017.

Mr. Speaker, for many years our domestic energy industry has suffered under unnecessary and politically motivated regulations and burdensome, bureaucratic red tape, prohibiting growth and innovation. President Trump and his administration have been working hard, along with this Congress, to undo the policies which have so harmed our domestic energy industry.

Today's rule allows for the consideration of two bills, which will further those efforts and reform our regulatory framework so our energy producers can do their jobs more efficiently and economically, along with safeguards that will still be in place to protect health and safety. These bills provide a commonsense solution to tailor EPA emission standards, and they provide reasonable compliance timelines for the specific regulated industries.

The first bill, H.R. 1119, the SENSE Act, is sponsored by my colleague, Mr. ROTHFUS from Pennsylvania. This bill would provide for targeted modifications to the EPA's Mercury and Air Toxics Standards, MATS, as it applies to coal refuse-to-energy facilities. The EPA has included certain emissions limits in the new standards that are just simply not achievable for these refuse plants.

These specialized power plants have been developed to recycle coal refuse by using it as an energy source to generate affordable, reliable electricity. These facilities have thus far removed 214 million tons of coal refuse from the environment, at no expense to taxpayers.

In addition to helping address coal refuse, these facilities have created an estimated 1,200 direct jobs and 4,000 indirect jobs in areas that have been economically distressed for many years.

□ 1230

There are 19 of these coal refuse-to-energy facilities, many of which are at direct risk of being shut down absent passage of the SENSE Act.

The SENSE Act would create a way for coal refuse-to-energy facilities to continue their much-needed work by allowing these plants to demonstrate compliance with EPA's hydrochloric acid standard by using sulfur dioxide as a proxy and assuming that a 93 percent reduction in sulfur dioxide demonstrates compliance with the hydrochloric acid emissions reduction standard.

The bill would still require these coal refuse-to-energy facilities to be subject to emissions limitations and to achieve substantial declines in emissions; but it would do so in a way that these facilities can achieve while also remaining operational, recognizing the crucial role they play in providing energy, and helping to clean up coal refuse sites.

Mr. Speaker, our rule also provides for consideration of H.R. 1917, the Blocking Regulatory Interference from Closing Kilns, or BRICK, Act of 2017 sponsored by my colleague from Ohio (Mr. JOHNSON). This bill will help preserve America's brickmaking industry and its 7,000 jobs and protects them from an EPA rule that created a far too rushed compliance timetable for businesses across the Nation.

The emissions standards in this rule apply to kilns at brick and structural clay products manufacturing facilities and at clay ceramic manufacturing facilities. Industry has estimated the

cost of this rule, if allowed to go into effect, would potentially exceed \$100 million annually, which is four times higher than what the EPA initially estimated. This is yet one more example of how poorly thought-out and misguided regulations are harming industries and have been a severe hindrance to the kind of job creation we know we can now see unleashed across our Nation.

We have got to ensure businesses have time to comply and that regulations make sense. We should not force them into arbitrary time lines that will make them shut down. H.R. 1917 provides that needed time and makes compliance possible.

The BRICK Act also includes the text of the Relief from New Source Performance Standards. This legislation was authored by my Democratic colleague from Minnesota (Mr. PETERSON). The provision in this bill will help both manufacturers and users of wood heaters by providing relief from overly burdensome and arbitrary time lines that have been imposed by the EPA's New Source Performance Standards. Specifically, this bill provides an additional 3 years for businesses to comply with this rule.

Wood heaters are an affordable source of home heating, especially in rural America, and it is critically important that we protect this low-cost source of heating. The New Source Performance Standards for wood heaters, which took effect in 2015, include a provision that is proving nearly impossible, once again, for manufacturers to comply with as they are struggling to design compliant models in the short timeframe allowed by the agency. As a result, we have seen workers laid off and other companies fearing that they will not be able to stay in business after 2020.

Wood heater users in many low-income households across the country face the likelihood of having to pay more and having a reduced product choice. This is one more example of Federal overreach in which the agency failed to take into account the real impact of these regulations on everyday Americans across our country.

It is crucial that we pass the BRICK Act, which would extend the deadline for the second phase of the wood heater standards from 2020 to 2023, and provide time for meaningful judicial review of the Brick and Structural Clay Products: National Emission Standards for Hazardous Air Pollutants before the owners and operations of these facilities are required to make significant and potentially irreversible decisions regarding capital investments, or driving them out of business altogether.

Mr. Speaker, we must ensure emissions standards are reasonable and do not unnecessarily cripple small businesses, which we know are the drivers of our economy.

Mr. Speaker, therefore, I encourage support for the rule for these important bills, and I reserve the balance of my time.

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

Mr. Speaker, I would like first to thank the gentlewoman from Wyoming (Ms. CHENEY), my friend, for yielding me the customary 30 minutes for debate.

Today's bills would modify Clean Air Act regulations, or the act itself, to give a handout to specified industries to emit more pollution into the air. These bills, in my view, would result in more smog, more fine particle pollution, and more toxic air pollution. The effects would be worse, resulting in more asthma attacks, more kids in emergency rooms, more bronchitis, more cancer diagnoses, and more birth defects.

Mr. Speaker, these bills represent a fundamentally unfair and deeply troubling approach to regulation. In bringing up these bills, the Republican-controlled Congress is granting favors to special interests at the expense of public health. Shocking, but not surprising. By bringing up these bills, the majority intends to overturn evidence-based, scientific decisions made by the Environmental Protection Agency, States, and courts after a transparent and extensive process.

To date, the Trump administration, with the help of the Republican-controlled Congress, has targeted 67 environmental rules. One of those rules was the requirement that mining companies prove they have the financial wherewithal to clean up their pollution. Another is the rule regulating airborne mercury emissions from fossil fuel power plants. And most recently, the administration announced it was targeting oil rig safety regulations, regulations that were implemented after the 2010 Deepwater Horizon explosion and oil spill, a spill that burned for 36 hours, released 4.9 billion barrels of crude oil into the Gulf of Mexico, spread 3,850 square miles, and resulted in billions of dollars of losses to the U.S. fishing industry and the Gulf Coast tourist industry.

Mr. Speaker, since passage of the Clean Air Act in 1970, America has made substantial progress in cleaning up this Nation's air. We have done this by following a fundamental principle: holding polluters accountable for their pollution.

Instead of following this common-sense, bedrock principle, my colleagues on the other side of the aisle insist on creating loopholes for a few favored industries: waste coal plants, brick manufacturers, and those who manufacture residential wood heaters.

Mr. Speaker, the first of these bills, the ironically titled SENSE Act, weakens the critical Mercury and Air Toxics Standards rule, which established the first national standards to address power plant emissions of toxic air pollutants. This Mercury and Air Toxics Standards rule requires coal-fired power plants to meet emissions standards for mercury, other metals, and acid gases.

Has the majority engaged in any in-depth analysis of what will happen when this rule is weakened? Has the majority filled its ranks with experts, scientists, and doctors who will be able to put forth a case for why undermining this rule is good policy? Of course not.

Mr. Speaker, here is what we know: The Environmental Protection Agency estimates that for every dollar spent to reduce pollution under this rule American families receive up to \$9 in health benefits. In fact, the EPA estimated that, in 2016, the MATS rule would avoid up to 11,000 premature deaths, 2,800 cases of chronic bronchitis, 4,700 heart attacks, 130,000 cases of aggravated asthma, 5,700 hospital and emergency room visits, 6,300 cases of acute bronchitis, 140,000 cases of respiratory symptoms, and 540,000 days when people miss work. My Republican colleagues want to do away with those health benefits and, instead, permit favored industries to pollute more.

Mr. Speaker, the second measure combines two bills: H.R. 1917, the BRICK Act; and H.R. 453, the Relief from New Source Performance Standards Act. The BRICK Act unjustifiably delays reductions in toxic air pollution from brick manufacturers by allowing them to continue to pollute until all their lawsuits are exhausted. The bill throws out existing judicial process by providing a blanket extension for any compliance deadline, regardless of the merits of the case.

Under well established legal norms, the court of appeals for the district circuit may stay a rule during litigation if it finds that the party seeking the stay has demonstrated that there is a likelihood of success on the merits, the prospect of irreparable harm to the party requesting the stay, and, most importantly, whether granting the stay is in the public interest. To date, not one of the industry litigants have even asked the court to stay the Brick and Structural Clay Products rule. Not one. Presumably it is because they recognize that they cannot meet this legal standard.

Mr. Speaker, the existing judicial process is the appropriate method to seek a stay of the rule and is the preferable method to unnecessary congressional intervention proposed by the BRICK Act.

This brings me to H.R. 453, the Relief from New Source Performance Standards Act, which delays cleaner burning wood stoves until 2023, on top of the 5 years manufacturers already had to comply, exposing communities to additional years of unhealthy fine particle pollution, carbon monoxide, and volatile organic compounds.

In 2015, the EPA strengthened the pollution control requirements for new residential wood heaters. The new standards would cut fine particle pollution and volatile organic compounds from new wood heaters by almost 70 percent and will cut carbon monoxide pollution by 62 percent. The EPA even

included provisions in the rule to help manufacturers achieve the new standards, giving the manufacturers 5 years to comply.

Mr. Speaker, these pollutants combine with other pollutants in the air from smog, black carbon, and benzene, harming the health of the American people, particularly our kids and seniors, who will have to pay for these special interest breaks with their health and, in some cases, with their lives. These three bills sacrifice Americans' health with additional years of unnecessary pollution.

Mr. Speaker, it is as disappointing as it is frustrating that we come here today to debate bills that will increase pollution in our country and also have very little hope—let me underscore that: very little hope—of ever becoming law. We have real work to do in this place, and these bills are not that work.

This body must turn its attention to finally addressing the gun violence epidemic that has taken over our country. Most recently at Marjory Stoneman Douglas High School in Parkland, Florida, in a district adjacent to the district that I am privileged to serve, less than a month ago, a 19-year-old legally purchased a semiautomatic AR-15 and used it to methodically murder 14 of his former classmates and three teachers.

What was the response of this body? Well, we did prayers and thoughts, which is good. But did my Republican colleagues bring to the floor a bill that would ban assault weapons? Did they bring to the floor legislation to close the gun show loophole? Did they bring to the floor legislation that would raise the minimum purchase age for rifles? Or mandatory comprehensive background checks for gun buyers and ban bump stocks? Or allow the Centers for Disease Control and Prevention to study gun violence?

□ 1245

No, Mr. Speaker. Instead this body offered, as I said, its thoughts and prayers.

And I have said it before and I will say it again today: those who stand in the way of legislation that will address our country's gun violence epidemic are increasingly culpable for its need-less continuation.

So what we choose to talk about is pollution. What we should be talking about is the gun epidemic, and I will get to DACA a little bit later in my closing.

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

Ms. CHENEY. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS), my colleague and the sponsor of the SENSE Act.

Mr. ROTHFUS. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, just listening to the other side's comments about the SENSE Act, I am wondering if they

have read the same bill or if they have ever visited the hills of western Pennsylvania where we see the environmental damage that waste coal piles have done and the tremendous progress that we have seen over the last number of decades in actually cleaning up the environment.

Mr. Speaker, I am happy to rise in support of H. Res. 762, the rule that is under consideration, and I want to talk about the SENSE Act, which is included within this rule, H.R. 1119.

This is a pro-environment bill. The purpose of the bill is to ensure that coal refuse-to-energy facilities can be held to strict but achievable standards.

To be clear, these plants comply with nearly all standards as it is, including mercury emissions. We are talking about a modification, a customization, as it were, in recognition of the tremendous benefit that these plants have made to the environment.

I have introduced versions of this bill during prior Congresses, and I am hopeful that this bill can become law. It enjoys bipartisan support.

As many of you know, coal refuse is a by-product of historic coal mining operations. Throughout many parts of coal country, towering black mounds of this material loom beside cities and towns, especially in Pennsylvania and in West Virginia.

I would invite my colleague from Florida to come up to western Pennsylvania and take a look at the scarred landscape and polluted rivers we have there as a result of these coal refuse piles.

Many of these piles can smoulder, can spontaneously combust, giving off emissions with no controls, zero controls. They catch fire, burning uncontrollably, sending hazardous smoke into the air and into surrounding communities. Local governments are then forced to spend increasingly scarce taxpayer resources fighting these fires.

Rainwater leaches terrible chemicals from these mounds, polluting nearby rivers and streams.

Fortunately, the coal refuse-to-energy industry turns this material into energy, while cleaning up and remediating many polluted sites, at no cost to the taxpayer.

These power plants are really the only practical solution to this massive environmental problem that we have in Pennsylvania and West Virginia that could cost, in Pennsylvania alone, an estimated \$2 billion to remediate. This is being done without taxpayer funding right now, the cleanup, because of these plants.

For several years, I have spoken about the tremendous work being done by hardworking folks in this industry, which I have seen firsthand. I have stood on coal refuse piles in the process of remediation, and I have also walked on restored sites, many of which are parks and meadows, now regarded as community assets rather than liabilities. I have seen the streams that were once dead that now have fish.

Despite all the good that this industry does for Pennsylvania and West Virginia, five coal refuse-to-energy facilities are under threat from Federal regulations, seemingly incapable of needed flexibility to accommodate private sector work that is actually improving the environment.

If rigid EPA orthodoxy makes no exceptions for this pro-environment industry, it is not just the environment that will continue to suffer. These plants support family-sustaining jobs, and thousands of jobs are at stake if these plants are regulated out of business, both direct and indirect.

I should note that many of these jobs are in localities that have already been hit exceptionally hard by both the last recession and the ongoing opioid crisis.

The people expect us to stand for them, especially when their livelihoods come under threat from heavy-handed, one-size-fits-all Washington policies. So as we debate the SENSE Act, please keep in mind what the bill's supporters are fighting for.

Here is what is going to happen if this law doesn't pass: rivers and streams aren't going to come back to life; hillsides aren't going to be restored; and these piles, they can spontaneously combust, again, with no emissions control whatsoever.

The SENSE Act is about protecting family-sustaining jobs and ensuring the continuation of the environmental success story of the coal refuse-to-energy industry. Mr. Speaker, I urge Members to support the rule and the SENSE Act.

Again, are we capable of making judgments in this House? Are we capable of customizing one-size-fits all.

The EPA, frankly, has recognized the work of this industry. "Coal refuse piles," the EPA has said, "are an environmental concern because of acid seepage and leachate production, spontaneous combustion, and low soil fertility. Units that burn coal refuse provide multimedia environmental benefits by combining the production of energy with the removal of coal refuse piles and by reclaiming land for productive use. Consequently, because of the unique environmental benefits that coal refuse-fired EGUs provide," the EPA said, "these units warrant special consideration...."

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

Ms. CHENEY. I yield an additional 1 minute to the gentleman from Pennsylvania.

Mr. ROTHFUS. Mr. Speaker, I hope my colleagues will see the benefits that can come from this. This isn't a special interest carveout, unless you consider cleaning up the environment in western Pennsylvania to be a special interest.

Again, are we capable of making judgments about what this town puts out, one size fits all, seemingly with blinders on, not having the ability to recognize that in certain circumstances customization is appropriate?

That is what this underlying bill, the SENSE Act, does. It does make sense: satisfying energy needs and saving the environment. I hope my colleagues would see the sense in that and work with us to allow the environmental cleanup to continue and to protect hundreds of family-sustaining jobs across western Pennsylvania and West Virginia.

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

Mr. Speaker, 6 months ago, Donald John Trump decided to end the DACA program, a program which gave hundreds of thousands of hardworking young people hope for the future. He gave Congress until March 5—that was 2 days ago—to pass a bill. Since then, House Democrats have tried 23 times to pass bipartisan legislation to fix this problem. Donald John Trump even tweeted: "Total inaction on DACA by Dems. Where are you?"

Well, Mr. President, where we are is right here, waiting for this deal that you say can be made. Yet, on 23 occasions, it was our friends on the other side of the aisle who refused to make a deal and rejected even considering the bipartisan Dream Act that was deadlined by you, Donald John Trump, on March 5.

We need to address this vital issue now. Approximately 120 Dreamers lose their status each day. Over 22,000 have lost their status since the administration ended the program.

Mr. Speaker, I implore my colleagues: Let's do something now to lift the cloud that hangs over these young people who are American in every way except on paper.

Mr. Speaker, if we defeat the previous question, I am going to offer for the 24th time an amendment to the rule to bring up H.R. 3440, the Dream Act. This bipartisan, bicameral legislation will help solve the problem created by Donald John Trump's decision to end the DACA program.

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

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

There was no objection.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair, not to a perceived viewing audience.

Mr. HASTINGS. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. COSTA), my good friend, a member of the Agriculture and Natural Resources Committees of this Congress, who will discuss our proposal.

Mr. COSTA. Mr. Speaker, I thank my friend, the gentleman from Florida (Mr. HASTINGS), for yielding me this time.

Mr. Speaker, the United States, as we know, is a nation of immigrants, past and present. For hundreds of years, people have come to our shores

in search of a better life for themselves and for their children.

Immigrants from across the world have made incredible contributions to our country. We know that as fact. From starting businesses to healing the sick, to harvesting our fields and putting food on America's dinner table, to ensuring safety and pursuing justice, immigrants have made America a great nation because of their contributions. Yet there have been times when our Nation has struggled to live up to our own ideals, and right now, I think, is one of those times.

This week, the President's deadline, March 5, 2 days past, to end the DACA program took effect, threatening hundreds of thousands of lives of Dreamers. Now, let us remember, this is because of President Trump's unilateral action last September to repeal DACA that we are in the position that we are in today.

Mr. Speaker, I am standing here with the Dreamers, with over 80 percent of Americans, and with many of my colleagues who believe we ought to fix this problem. I ask Speaker RYAN and I call upon this Chamber to vote now on the bipartisan, bicameral Dream Act.

This bill would provide permanent legislative protections for our Dreamers, immigrants who were brought to the United States' shores as children at the average age of 6 years. For them, America is the only country they have ever known. The Dream Act will provide these young people with legal status and, ultimately, a path to citizenship.

In my district, there are thousands of DACA recipients, thousands of Dreamers, currently, over 600 at the University of California, Merced, and more than that at my alma mater, Fresno State.

President Castro at Fresno State and I had a meeting with a group of Dreamers recently. Let me tell you about one student whom I met, who would be helped by the Dream Act, Rodolfo. What a story he had to tell, along with the other students.

Rodolfo came to the United States with his mother and siblings when he was 4 years old, at great risk. He is set to graduate from Fresno State with a degree in chemistry this year.

DACA gave him the ability to work through school and help his family. And after all, isn't that the immigrant way?

Just last week, Rodolfo got some great news. He learned that he was admitted to the University of California, San Francisco's School of Pharmacy, one of the best schools in the Nation. His dream as a Dreamer is to use his education and skills to give back to our communities by providing healthcare to underserved communities.

Rodolfo, we want Dreamers like you here in the United States. There are over 800,000 of you, all contributing and giving. Many of you serve in our armed services today.

Mr. Speaker, I urge my colleagues to bring the Dream Act to the floor for a vote. Support this legislation. They should not be held hostage for other agendas that are out there, and clearly this is the case.

This is common sense. I ask my colleagues to do the right thing. Let's bring the Dream Act to the floor as soon as we can.

Ms. CHENEY. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. JOHNSON), the sponsor of the BRICK Act.

Mr. JOHNSON of Ohio. Mr. Speaker, I appreciate the opportunity to speak.

Mr. Speaker, I am actually a little bit confused. I thought this was supposed to be a debate on a rule dealing with overturning onerous EPA regulations. Instead, our colleagues on the left want to talk about something totally nongermane and change the subject. And then we wonder why the American people get so frustrated that this institution can't seem to address its big issues.

□ 1300

I also heard a little bit ago an impassioned claim by my colleague on the left over here that the legislation that we are talking about today somehow flies in the face of the courts. That is not true because the courts have already overturned this regulation one time and set it aside, and it has cost the industries millions and millions of dollars that they shouldn't have had to spend.

I also heard it claimed that it flies in the face of commonsense, science-based evidence. That is not true because, if it were, then the courts wouldn't have made the decision to set it aside in the first place.

H.R. 1917, the BRICK Act, is about regulatory common sense, Mr. Speaker, but it is also about preserving good-paying jobs in rural communities across America. Brickmakers and tile manufacturers are primarily small businesses, and their product is critical for our infrastructure. They have built some of the most iconic towns and buildings across America, and this bill will help ensure that these small businesses are able to continue to do exactly that.

The EPA's current Brick MACT rule, finalized in 2015, would impose millions of dollars in costs on these small businesses, all before judicial review of the rule is complete. And while the EPA, under the former administration, estimates that the annual costs to comply with the rule will be about \$25 million, other estimates have projected the annual costs to be up to \$100 million or greater.

For a facility with two kilns, which is the industry average, the costs are estimated to be \$4.4 million. Securing capital for these projects will be very difficult, and some worry that it will simply not be available considering that these compliance costs will not improve plant productivity nor help its

bottom line. What is worse is that these costs are over and above the tens of millions of dollars spent by the industry to comply with an earlier version of the rule vacated by the D.C. Circuit Court in 2007.

H.R. 1917 simply allows for the consideration and completion of any judicial review regarding the 2015 regulation before requiring compliance. For an industry that has faced so much regulatory uncertainty, through rules, vacated rules, and now new regulation, H.R. 1917 will help inject a bit of much-needed regulatory certainty back into this industry.

Additionally, this bill provides regulatory relief for our wood heater manufacturers, which helps provide an affordable source of heat for many low-income and rural households. EPA regulations set to take effect in 2020 are causing some manufacturers to already lay off workers. This industry needs more time to comply, and a provision within H.R. 1917 will simply extend that compliance deadline from 2020 to 2023. If left unchanged, product choice will diminish, prices will rise, and more jobs will be lost.

Mr. Speaker, we must ensure our Federal agencies are not needlessly regulating companies out of business. Brick manufacturers have suffered heavy losses since the recession, losing about 45 percent of jobs between 2005 and 2012. Increased compliance costs from these EPA regulations will only lead to more job losses and consolidations within this primarily family-owned business industry.

We owe this industry regulatory certainty. I urge my colleagues to support this rule and to support H.R. 1917 because, if we don't, if the brick industry gets shut down because of these onerous rules, we are going to start building buildings, Mr. Speaker, out of straw and sticks instead of bricks.

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

Mr. Speaker, I have watched this last year as members of the Republican majority worked diligently to eliminate Federal environmental regulations that serve to keep the American people safe from harmful toxins in their air and water.

I couldn't help but be amused by my colleague on the right's comments at the end that we will be using sticks instead of bricks. Very clever. But the real truth of the matter is, in certain parts of the world—and I would urge him to visit some of them—there are examples of things other than brick for construction. I have no quarrel with the brick industry. I just urge—and in many instances they are already doing it—that they do everything they can not to pollute the environment.

I have watched members in the Republican majority work relentlessly for special interest groups instead of working for all of the American people. I have watched members of the Republican majority put the wish list of the powerful corporate gun lobby ahead of the safety of the American people.

On Monday, we all watched a self-imposed Republican deadline slip by, to the detriment of thousands upon thousands of young people in our country who we have identified as Dreamers, young people who know no other country as home than the United States of America. Every day of inaction on the part of my friends across the aisle means another day that families are needlessly and cruelly made to live under the threat of being torn asunder.

My colleague, LOIS FRANKEL, and I were at a men's club before a couple of hundred of men in the Valencia Cove in Boynton Beach. The question was put to both of us: Why do we support illegal immigrants in this country?

We tried to make the distinction for him with reference to Dreamers and the fact that all of these young people were brought here against their volition by their parents. So it is the Dreamers that we are supporting. I think he finally understood the importance of our doing comprehensive immigration reform in this country.

Democrats have offered to bring the Dream Act to the floor now 24 times. We are going to give them one more chance. We have done it 23, and every single time this effort has been blocked by the majority.

To address my friend who correctly cited that we were bringing this up: It is not so much to change the topic of the day. We don't have that prerogative. But we do have embedded in this rule the prerogative to bring a previous question, and that can be on any subject that we choose. What we choose to do is to prioritize things that we consider to be important. It would not have blocked this particular measure.

But the fact is, enough is enough. The President says he wants to fix this problem. The Speaker says he wants to fix this problem. We on this side of the aisle clearly want to fix this problem. So let's do it now.

Mr. Speaker, I urge a "no" vote on the rule, on the previous question, and on the underlying bills.

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

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

Mr. Speaker, I enjoy very much serving on the Rules Committee with all of my colleagues on the committee. One of the things that I am often asked because I am a new Member of this body is: What has surprised me most about being a Member of Congress?

My answer is: Often you see on the outside what looks like a lot of vitriol between the parties, but, in actuality, I believe that every Member of this body is here for the right reasons. They are here because they want to serve the people of their districts, the people of their States, and the people of this Nation.

I think it is crucially important, Mr. Speaker, particularly when we are talking about something as sacred as the safety of our children, that we not engage in the kind of partisan attacks,

that we not exploit tragedy, that we not engage in the kind of questioning of motives that I just heard my colleague on the other side of the aisle do.

I know my colleague, Mr. HASTINGS, knows that we may have disagreements, but the reason that I, as a mother, feel so strongly about the Second Amendment is because I want to keep our kids safe. I know he knows that my beliefs about the Second Amendment, though they are different from his, are not based upon any campaign donations and any campaign contributions. I know he knows that they are based very firmly on a fundamental commitment to the importance of the Second Amendment as part of what makes this Nation safe, as part of what makes our individuals secure, and how important it is for us not to use this tragedy to take steps—that may make people feel better—that fundamentally violate our constitutional rights and that won't keep our kids safe.

When you go down the path that we have heard so many on the other side of the aisle suggest we go down, whether they are talking about banning entire classes of weapons, whether they are talking about expanding background checks so that they are somehow universal—our background check system right now is broken. It doesn't work.

We have a situation in which States are not reporting in the way that they ought to report. So when I hear my colleagues on the other side of the aisle suggest that what we ought to do, frankly, is expand a system that is failing and call that progress, I can't help but think that that is pretty much their standard operating procedure: No matter what the policy is, let's expand the broken system, let's ignore whether or not it is really working, and let's call it progress.

Mr. Speaker, I will not be a party to that. I will not be a party in a situation in which we have had tragedy after tragedy, a situation in which in this most recent tragedy law enforcement fundamentally at all levels failed our children. When you have individuals inside of a school who were killed because armed officers outside the school failed to enter, when you have children who are killed because call after call after call to the Federal Bureau of Investigation and to the local law enforcement officials went unheeded because specific tips about this particular individual went unheeded, that is not a time, Mr. Speaker, for us to say: What we ought to do then is prevent law-abiding Americans from having access to the firearms that they need to defend and protect themselves.

I think, Mr. Speaker, if you look at what those on the other side of the aisle are attempting to do with respect to the debate about guns and the debate about school safety, it is critically important for all of us to stand up and say: No, we will not go down a path that is going to violate constitutional

rights, that will not keep our children safe, and find some kind of false comfort in that.

When you are talking about the bills that are before us today, Mr. Speaker, we are in a similar situation. We have had 8 years in the Obama administration where they imposed regulation after regulation after regulation in the name of somehow protecting the environment.

Mr. Speaker, President Obama's own EPA Administrator testified in front of Congress that the Clean Power Plan would, in fact, not have any sort of positive impact on the environment or on global temperatures, yet they imposed it anyway, imposing massive costs on our industry in the name, I suppose, of trying to feel better and trying to feel like they are doing something. But what they are really doing is actually putting ourselves in a situation where we are harming small businesses, where we are strangling them, and where we are preventing their ability to grow and to thrive. We know we can do that, Mr. Speaker, in a way that also protects our environment.

Mr. Speaker, I want to thank my colleagues, Mr. ROTHFUS and Mr. JOHNSON, for their work on these very important bills.

In Wyoming, Mr. Speaker, we know that our coal and our fossil fuels are national treasures. They are absolutely crucial to providing the power that runs this Nation. I am proud of all that we in this body and President Trump together have done to roll back dangerous and ill-advised Obama-era regulations that have been aimed at killing our fossil fuel industry.

We can no longer go down the path of allowing these regulations to exist in a way that devastates industry, puts the fundamental reliability of our electricity and of our energy grid at risk, and achieves no measurable impact for the environment. It is long past time for that indefensible approach to end. That is what we are doing here today.

These are good bills. They are important bills. They will take this next step in rolling back the kind of overwhelming regulation that we have seen, Mr. Speaker.

Mr. Speaker, I urge the adoption of both the rule and the underlying bills.

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

AN AMENDMENT TO H. RES. 762 OFFERED BY  
MR. HASTINGS

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

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3440) to authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill



and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3440.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

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

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled

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

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

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 229, nays 183, not voting 18, as follows:

[Roll No. 96]

YEAS—229

Abraham	Culberson	Hensarling
Aderholt	Curbelo (FL)	Herrera Beutler
Allen	Curtis	Higgins (LA)
Amash	Davidson	Hill
Amodei	Davis, Rodney	Holding
Arrington	Denham	Hollingsworth
Babin	Dent	Hudson
Bacon	DeSantis	Huizenga
Banks (IN)	DesJarlais	Hultgren
Barletta	Diaz-Balart	Hunter
Barton	Donovan	Hurd
Bergman	Duffy	Issa
Biggs	Duncan (SC)	Jenkins (KS)
Bilirakis	Duncan (TN)	Jenkins (WV)
Bishop (MI)	Dunn	Johnson (LA)
Bishop (UT)	Emmer	Johnson (OH)
Black	Estes (KS)	Johnson, Sam
Blackburn	Farenthold	Jones
Blum	Faso	Jordan
Bost	Ferguson	Joyce (OH)
Brady (TX)	Fitzpatrick	Katko
Brat	Fleischmann	Kelly (MS)
Bridenstine	Flores	Kelly (PA)
Brooks (AL)	Fortenberry	King (IA)
Brooks (IN)	Fox	King (NY)
Buchanan	Frelinghuysen	Kinzing
Buck	Gaetz	Knight
Bucshon	Gallagher	Kustoff (TN)
Budd	Garrett	Labrador
Burgess	Gianforte	LaHood
Byrne	Gibbs	LaMalfa
Calvert	Gohmert	Lamborn
Carter (GA)	Goodlatte	Lance
Carter (TX)	Gosar	Latta
Chabot	Gowdy	Lewis (MN)
Cheney	Granger	LoBiondo
Coffman	Graves (GA)	Long
Cole	Graves (LA)	Loudermilk
Collins (GA)	Graves (MO)	Love
Collins (NY)	Griffith	Lucas
Comer	Grothman	Luetkemeyer
Comstock	Guthrie	MacArthur
Conaway	Handel	Marchant
Cook	Harper	Marino
Costello (PA)	Harris	Marshall
Crawford	Hartzler	Massie

McCarthy	Renacci	Stefanik
McCaul	Rice (SC)	Stewart
McClintock	Roby	Taylor
McHenry	Roe (TN)	Tenney
McKinley	Rogers (AL)	Thompson (PA)
McMorris	Rogers (KY)	Thornberry
Rodgers	Rohrabacher	Tipton
McSally	Rokita	Trott
Meadows	Rooney, Francis	Turner
Meehan	Rooney, Thomas	Upton
Messer	J.	Valadao
Mitchell	Ros-Lehtinen	Wagner
Moolenaar	Roskam	Walberg
Mooney (WV)	Ross	Walden
Mullin	Rothfus	Walker
Newhouse	Rouzer	Walorski
Noem	Royce (CA)	Walters, Mimi
Norman	Russell	Weber (TX)
Nunes	Rutherford	Webster (FL)
Olson	Sanford	Wenstrup
Palazzo	Scalise	Westerman
Palmer	Schweikert	Williams
Paulsen	Scott, Austin	Wilson (SC)
Perry	Sensenbrenner	Wittman
Pittenger	Sessions	Womack
Poliquin	Shimkus	Woodall
Posey	Simpson	Yoder
Ratcliffe	Smith (MO)	Yoho
Reed	Smith (NE)	Young (AK)
Reichert	Smith (NJ)	Young (IA)
	Smucker	Zeldin

NAYS—183

Adams	Fudge	Napolitano
Aguilar	Gabbard	Neal
Barragán	Gallego	Norcross
Bass	Garamendi	O'Halleran
Beatty	Gomez	O'Rourke
Bera	Gonzalez (TX)	Pallone
Beyer	Gottheimer	Panetta
Bishop (GA)	Green, Al	Pascarell
Blumenauer	Green, Gene	Payne
Blunt Rochester	Grijalva	Pelosi
Bonamici	Gutiérrez	Perlmutter
Boyle, Brendan	Hanabusa	Peters
F.	Hastings	Peterson
Brady (PA)	Heck	Pingree
Brown (MD)	Higgins (NY)	Pocan
Brownley (CA)	Himes	Price (NC)
Bustos	Hoyer	Quigley
Butterfield	Huffman	Raskin
Capuano	Jackson Lee	Rice (NY)
Carbajal	Jayapal	Richmond
Cárdenas	Jeffries	Rosen
Carson (IN)	Johnson (GA)	Roybal-Allard
Cartwright	Kaptur	Ruiz
Castor (FL)	Keating	Ruppersberger
Castro (TX)	Kelly (IL)	Rush
Chu, Judy	Kennedy	Ryan (OH)
Cicilline	Khanna	Sánchez
Clark (MA)	Kihuen	Sarbanes
Clarke (NY)	Kildee	Schakowsky
Clay	Kilmer	Schiff
Cleaver	Kind	Schneider
Clyburn	Krishnamoorthi	Schrader
Cohen	Kuster (NH)	Scott (VA)
Connolly	Langevin	Scott, David
Cooper	Larsen (WA)	Serrano
Correa	Larson (CT)	Sewell (AL)
Costa	Lawrence	Sherman
Courtney	Lawson (FL)	Sinema
Crist	Lee	Sires
Crowley	Levin	Smith (WA)
Cuellar	Lewis (GA)	Soto
Davis (CA)	Lipinski	Speier
Davis, Danny	Loeb sack	Suozi
DeFazio	Lofgren	Swalwell (CA)
DeGette	Lowenthal	Takano
Delaney	Lowe	Thompson (CA)
DeLauro	Lujan Grisham,	Thompson (MS)
DelBene	M.	Titus
Demings	Luján, Ben Ray	Tonko
DeSaulnier	Lynch	Torres
Deutch	Maloney,	Tsongas
Dingell	Carolyn B.	Vargas
Doggett	Maloney, Sean	Veasey
Doyle, Michael	Matsui	Vela
F.	McCollum	Velázquez
Ellison	McEachin	Visclosky
Engel	McGovern	Walz
Eshoo	McNerney	Wasserman
Espallat	Meng	Schultz
Esty (CT)	Moore	Watson Coleman
Evans	Moulton	Welch
Foster	Murphy (FL)	Yarmuth
Frankel (FL)	Nadler	

## NOT VOTING—18

Barr  
Cramer  
Cummings  
Hice, Jody B.  
Johnson, E. B.  
Lieu, Ted

Meeks  
Nolan  
Pearce  
Poe (TX)  
Polis  
Shea-Porter

Shuster  
Slaughter  
Smith (TX)  
Stivers  
Waters, Maxine  
Wilson (FL)

## □ 1339

Messrs. SCHNEIDER, SEAN PATRICK MALONEY of New York, BISHOP of Georgia, GENE GREEN of Texas, CLEAVER, ELLISON, and RUSH changed their vote from “yea” to “nay.”

Messrs. UPTON, MCCLINTOCK, WALDEN, and SMITH of New Jersey changed their vote from “nay” to “yea.”

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

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

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

## RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 227, noes 185, not voting 18, as follows:

## [Roll No. 97]

## AYES—227

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barletta  
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  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Costello (PA)  
Crawford  
Culberson  
Curbelo (FL)  
Curtis  
Davidson  
Davis, Rodney

Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Emmer  
Estes (KS)  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foxy  
Frelinghuysen  
Gaetz  
Gallagher  
Garrett  
Gianforte  
Gibbs  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Griffith  
Grothman  
Guthrie  
Handel  
Harper  
Harris  
Hartzler  
Hensarling  
Herrera Beutler  
Higgins (LA)  
Hill  
Holding  
Hudson  
Huiuzenga  
Hultgren  
Hunter  
Hurd

Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kustoff (TN)  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
Lewis (MN)  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
MacArthur  
Marchant  
Marino  
Marshall  
Massie  
Mast  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin

Newhouse  
Noem  
Norman  
Nunes  
Olson  
Palmer  
Paulsen  
Perry  
Pittenger  
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  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smucker  
Stefanik  
Stewart  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tipton

## NOES—185

Adams  
Aguilar  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan F.  
Brady (PA)  
Brown (MD)  
Brownlee (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Cooper  
Correa  
Costa  
Courtney  
Crist  
Crowley  
Cuellar  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
DeSaulnier  
Deutsch  
Dingell  
Doggett  
Doyle, Michael F.  
Ellison  
Engel  
Eshoo  
Españat  
Esty (CT)  
Evans  
Foster  
Frankel (FL)  
Fudge

Gallego  
Garamendi  
Gomez  
Gonzalez (TX)  
Gottheimer  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Kuster (NH)  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lipinski  
Loebach  
Loftgren  
Lowenthal  
Lowe  
Lujan Grisham, M.  
Luján, Ben Ray  
Lynch  
Maloney, Carolyn B.  
Maloney, Sean  
Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Napolitano  
Neal

## NOT VOTING—18

Hollingsworth  
Johnson, E. B.  
Lieu, Ted  
Nolan  
Palazzo

Polis  
Shea-Porter

Shuster  
Slaughter

Smith (TX)  
Stivers

## □ 1346

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## BLOCKING REGULATORY INTERFERENCE FROM CLOSING KILNS ACT OF 2017

Mr. SHIMKUS. Mr. Speaker, pursuant to House Resolution 762, I call up the bill (H.R. 1917) to allow for judicial review of any final rule addressing national emission standards for hazardous air pollutants for brick and structural clay products or for clay ceramics manufacturing before requiring compliance with such rule, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 762, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-62 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

## H.R. 1917

*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 “Blocking Regulatory Interference from Closing Kilns Act of 2017”.*

## SEC. 2. EXTENDING COMPLIANCE DATES (PENDING JUDICIAL REVIEW) OF RULES ADDRESSING NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR BRICK AND STRUCTURAL CLAY PRODUCTS MANUFACTURING OR CLAY CERAMICS MANUFACTURING.

(a) EXTENSION OF COMPLIANCE DATES.—

(1) EXTENSION.—Each compliance date of any final rule described in subsection (b) is deemed to be extended by the time period equal to the time period described in subsection (c).

(2) DEFINITION.—In this subsection, the term “compliance date” means, with respect to any requirement of a final rule described in subsection (b), the date by which any State, local, or tribal government or other person is first required to comply.

(b) FINAL RULES DESCRIBED.—A final rule described in this subsection is any final rule to address national emission standards for hazardous air pollutants (NESHAP) for brick and structural clay products manufacturing or clay ceramics manufacturing under section 112 of the Clean Air Act (42 U.S.C. 7412), including—

(1) the final rule entitled “NESHAP for Brick and Structural Clay Products Manufacturing; and NESHAP for Clay Ceramics Manufacturing” published at 80 Fed. Reg. 65469 (October 26, 2015);

(2) the final rule entitled “NESHAP for Brick and Structural Clay Products Manufacturing; and NESHAP for Clay Ceramics Manufacturing: Correction” published at 80 Fed. Reg. 75817 (December 4, 2015); and

(3) any final rule that succeeds or amends the rule described in paragraph (1) or (2).

(c) PERIOD DESCRIBED.—The time period described in this subsection is the period of days that—

(1) begins on the date that is 60 days after the day on which notice of promulgation of a final