

House for 1 minute and to revise and extend his remarks.)

Mr. JACKSON of Illinois. Madam Speaker, yesterday my Republican colleagues introduced a continuing resolution that would increase the defense budget for the entire year while funding the rest of the government for just 1 week and drastically cutting just about every other vital program. That's no compromise.

For months the Republicans have said that as we reduce spending everyone has to take a haircut, including the Defense Department. But now the Republicans propose increasing military spending. The Republicans claim they want to fund the government for the rest of the year. But this bill is for 1 week with drastic cuts to programs that serve our most vulnerable.

Madam Speaker, if you say one thing and then you do another, that is not negotiating in good faith. That's not a real compromise.

In fact, The Washington Post reported that in the Republican caucus this week, the possibility of the government shutdown was greeted with cheers and with applause. They want a shutdown.

Over 13 million Americans are unemployed. They don't have time for this, and they don't have any more time to waste; and we shouldn't be wasting the time and the resources that they gave us. So if the Republicans won't compromise at the negotiating table, maybe we should get everyone down here to the floor to discuss this, to discuss the condition of the unemployed and to discuss why a government of, for, and by the people should remain open.

MOTION TO ADJOURN

Mr. JACKSON of Illinois. Madam Speaker, I move that the House do now adjourn.

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

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

Mr. JACKSON of Illinois. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 36, nays 367, not voting 29, as follows:

[Roll No. 229]

YEAS—36

Ackerman	Frank (MA)	Nadler
Capps	Fudge	Napolitano
Capuano	Hastings (FL)	Neal
Carson (IN)	Hinojosa	Pastor (AZ)
Clarke (NY)	Jackson (IL)	Peters
Clay	Johnson (GA)	Quigley
Conyers	Lee (CA)	Sánchez, Linda
Cooper	Lowey	T.
Crowley	Maloney	Schrader
Cummings	Markey	Towns
Doggett	McGovern	Velázquez
Ellison	Miller (NC)	
Filner	Moran	

NAYS—367

Adams	Duncan (SC)	Latta
Aderholt	Duncan (TN)	Levin
Akin	Edwards	Lewis (CA)
Alexander	Ellmers	Lewis (GA)
Altmire	Engel	Lipinski
Amash	Eshoo	LoBiondo
Austria	Farenthold	Loeback
Baca	Farr	Lofgren, Zoe
Bachmann	Fattah	Lucas
Bachus	Fincher	Luetkemeyer
Baldwin	Fitzpatrick	Luján
Barletta	Flake	Lummis
Barrow	Fleischmann	Lungren, Daniel
Bartlett	Fleming	E.
Barton (TX)	Flores	Lynch
Bass (CA)	Forbes	Mack
Bass (NH)	Fortenberry	Manzullo
Becerra	Fox	Marchant
Benishke	Franks (AZ)	Marino
Berg	Gallegly	Matheson
Berkley	Garamendi	McCarthy (CA)
Berman	Garner	McCarthy (NY)
Biggett	Garrett	McClintock
Bilbray	Gerlach	McCollum
Bilirakis	Gibbs	McCotter
Bishop (GA)	Gibson	McDermott
Bishop (NY)	Gingrey (GA)	McHenry
Bishop (UT)	Gohmert	McIntyre
Black	Gonzalez	McKeon
Blackburn	Goodlatte	McKinley
Blumenauer	Gosar	McMorris
Bonner	Gowdy	Rodgers
Bono Mack	Graves (GA)	McNerney
Boren	Graves (MO)	Meehan
Boustany	Green, Al	Mica
Brady (PA)	Green, Gene	Michaud
Brady (TX)	Griffin (AR)	Miller (FL)
Braley (IA)	Griffith (VA)	Miller (MI)
Brooks	Grimm	Miller, Gary
Broun (GA)	Guinta	Miller, George
Brown (FL)	Guthrie	Moore
Buchanan	Gutierrez	Mulvaney
Bucshon	Hall	Murphy (CT)
Buerkle	Hanabusa	Myrick
Burgess	Hanna	Neugebauer
Burton (IN)	Harper	Noem
Butterfield	Harris	Nugent
Calvert	Hartzer	Nunnelee
Camp	Hastings (WA)	Olson
Campbell	Hayworth	Owens
Canseco	Heck	Palazzo
Cantor	Heinrich	Pallone
Capito	Heller	Pascrell
Cardoza	Hensarling	Paul
Carnahan	Herger	Paulsen
Carney	Herrera Beutler	Payne
Carter	Higgins	Pearce
Cassidy	Himes	Pelosi
Castor (FL)	Hirono	Pence
Chabot	Holden	Perlmutter
Chaffetz	Holt	Peterson
Chandler	Honda	Petri
Chu	Hoyer	Pingree (ME)
Cicilline	Huelskamp	Pitts
Clarke (MI)	Huizenga (MI)	Platts
Cleaver	Hultgren	Poe (TX)
Clyburn	Hunter	Polis
Coble	Hurt	Pompeo
Coffman (CO)	Inslee	Price (GA)
Cohen	Israel	Price (NC)
Cole	Issa	Quayle
Conaway	Jackson Lee	Rahall
Connolly (VA)	(TX)	Rangel
Costa	Jenkins	Reed
Costello	Johnson (IL)	Rehberg
Courtney	Johnson (OH)	Reichert
Cravaack	Johnson, E. B.	Renacci
Crawford	Johnson, Sam	Reyes
Crenshaw	Jones	Ribble
Critz	Kaptur	Richardson
Cuellar	Keating	Richmond
Culberson	Kelly	Rigell
Davis (CA)	Kildee	Rivera
Davis (IL)	Kind	Roby
Davis (KY)	King (NY)	Roe (TN)
DeFazio	Kingston	Rogers (AL)
DeGette	Kinzinger (IL)	Rogers (KY)
DeLauro	Kissell	Rogers (MI)
Dinh	Kline	Rokita
Dent	Kucinich	Rooney
DesJarlais	Labrador	Ros-Lehtinen
Deutch	Lamborn	Roskam
Diaz-Balart	Lance	Ross (AR)
Dicks	Landry	Ross (FL)
Dold	Lankford	Rothman (NJ)
Donnelly (IN)	Larsen (WA)	Royce
Dreier	Larson (CT)	Ryunan
Duffy	Latham	Ruppersberger

Rush	Smith (TX)	Walsh (IL)
Ryan (OH)	Smith (WA)	Walz (MN)
Ryan (WI)	Southerland	Wasserman
Sarbanes	Speier	Schultz
Scalise	Stark	Waters
Schiff	Stearns	Watt
Schilling	Stivers	Waxman
Schmidt	Stutzman	Webster
Schock	Sullivan	Weiner
Schwartz	Sutton	Welch
Schweikert	Terry	West
Scott (SC)	Thompson (CA)	Westmoreland
Scott (VA)	Thompson (MS)	Whitfield
Scott, Austin	Thompson (PA)	Wilson (FL)
Scott, David	Thornberry	Wilson (SC)
Serrano	Tiberi	Wittman
Sessions	Tierney	Wolf
Sewell	Tipton	Womack
Sherman	Tonko	Woodall
Shimkus	Tsongas	Woolsey
Shuler	Turner	Wu
Shuster	Upton	Yarmuth
Simpson	Van Hollen	Yoder
Sires	Visclosky	Young (AK)
Smith (NE)	Walberg	Young (IN)
Smith (NJ)	Walden	

NOT VOTING—29

Andrews	Jordan	Olver
Boswell	King (IA)	Posey
Dingell	Langevin	Rohrabacher
Doyle	LaTourette	Roybal-Allard
Emerson	Long	Sanchez, Loretta
Frelinghuysen	Matsui	Schakowsky
Giffords	McCaul	Sensenbrenner
Granger	Meeks	Slaughter
Grijalva	Murphy (PA)	Young (FL)
Hinchee	Nunes	

□ 1254

Messrs. GEORGE MILLER of California and CRITZ, Mrs. DAVIS of California, Messrs. JOHNSON of Illinois, HUIZENGA of Michigan, HUNTER, and HOYER, Ms. BASS of California, Messrs. LARSON of Connecticut, FLEMING, and SARBANES changed their vote from "yea" to "nay."

Mr. HINOJOSA, Mrs. CAPPS, and Ms. VELÁZQUEZ changed their vote from "nay" to "yea."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. LONG. Madam Speaker, on rollcall No. 229, had I been present, I would have voted "nay."

Mr. JORDAN. Madam Speaker, I was absent from the House Floor during rollcall 229 earlier today. Had I been present, I would have voted "nay."

PROVIDING FOR CONSIDERATION OF H.R. 910, ENERGY TAX PREVENTION ACT OF 2011

Mr. SESSIONS. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 203 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 203

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 910) to amend the Clean Air Act to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change,

and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

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

Mr. SESSIONS. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman, my friend from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. SESSIONS. Madam Speaker, House Resolution 203 provides for a structured rule designated by the Rules Committee for consideration of H.R. 910. This rule allows for 12 amendments—that is, 12 amendments, Madam Speaker—submitted to the Rules Committee to be made in order.

Madam Speaker, I rise today in support of this rule and the underlying bill, including the open process that is taking place, not just in the Rules Committee, but also on the floor, where Members will be allowed to come

and debate these 12 amendments, as opposed to a closed rule with no amendments.

This legislation, introduced by the chairman of the Energy and Commerce Committee, the gentleman from Michigan (Mr. UPTON), has gone through regular order. There were hearings held on this issue. H.R. 910 was marked up in the Energy and Commerce Committee, and the chairman of the Rules Committee, the gentleman, Mr. DREIER, provided for a structured amendment process for 12 additional Democrat amendments to be considered.

The bill we are discussing today, the Energy Tax Prevention Act, would stop the Environmental Protection Agency—also known as EPA—from imposing a national energy tax in the form of carbon emission regulations.

Today, I will explain what the underlying bill does, and I will discuss the EPA's agenda, what this agenda would do to the Nation's job market and economy, the need for a stronger energy policy from not just our President, but also from the administration and also, as the guidepost that begins with this legislation today, from the United States Congress on behalf of the American people.

H.R. 910 prohibits the EPA from regulating greenhouse gases under the Clean Air Act and repeals the steps the agency has already taken to begin this process. In this bill, we only focus on greenhouse gases and we leave EPA's authority to monitor and regulate pollutants intact.

In short, the underlying bill clarifies that the Clean Air Act is not a vehicle for regulatory taxing. The decision about whether and how to regulate greenhouse gases should be made by Congress and only by Congress, not the regulatory body of a President who wishes to place his overriding answers on unelected bureaucrats to fulfill this role.

□ 1300

The EPA has been aggressively pursuing a national cap-and-tax energy agenda through regulation and legislation for years.

After cap-and-trade failed in Congress last year, the EPA accelerated its efforts to regulate this controversial policy through a series of new rules on hundreds of thousands of buildings all across the United States. In other words, because the President couldn't get his political agenda through Congress, he's taking his political agenda in the administration to overlay the American people.

We disagree with that, and that is why we are on the floor of the House of Representatives today.

Regulating greenhouse gas emissions—primarily the carbon dioxide emissions that come from coal, oil, and natural gas—will increase the cost of everything from gasoline to household utilities and, of course, groceries.

Additionally, regulating and taxing emissions will ship American jobs over-

seas to countries that understand and recognize stable, affordable and energy policies that are vital for their economic growth.

According to a letter from the Chamber of Commerce on March 9 of last year to the Energy and Commerce Committee: "These regulations will impose significant burden across the United States economy, including sectors that will create jobs and lead us in our economic recovery."

Additionally, the letter references that the American Council for Capital Formation has "estimated that EPA's greenhouse gas regulations could reduce business investment between \$97 billion and \$290 billion in 2011 and as much as \$309 billion in 2014," a tremendous hit on the economy when it comes from the President of the United States, Barack Obama, and his administration. This is not a way for America or our future to be successful.

The American Coalition for Clean Coal Electricity also references the American Council for Capital Formation in a press release just last month that estimates that a greenhouse gas tax "could result in the loss of between 476,000 to 1.4 million jobs."

Republicans are committed to putting Americans back to work, and our Democratic colleagues continue to pursue a reckless agenda that puts more Americans out of work, drives business overseas—all the while limiting U.S. energy production and use.

So, Madam Speaker, today the Republican Party is on the floor of the House of Representatives with good news not just for the taxpayers but for the American people, in particular, not just consumers, but those who have lost their job or who are underemployed. We believe that what we're doing today is a jobs-saver bill.

The House Natural Resources Committee reported last month that the Obama administration policies have caused domestic oil production to drop by 16 percent versus projected levels and future projections show continued decreases in domestic production and more foreign imports to make up for this difference.

A recent Rasmussen poll from March 3, 2011, shows that three-quarters of Americans believe this country does not do enough to develop its own oil and gas resources.

So whether through greenhouse gas regulation permit delays or permitting moratoriums, which the President stands behind in his administration, this administration should change their policies and their direction.

We must find new sources of energy and not tax those that exist for the freedom of this country.

So while energy prices soar and continue to soar and projections estimate a \$5-a-gallon gasoline by summertime, this administration wants to inflict more costs on consumers.

The bill today would help to ease the cost of energy prices. It would assist in the global competitiveness of America.

It would help ensure that this Nation does not lose millions of more jobs and does not threaten the intent of the Clean Air Act.

No, Madam Speaker, the Republican Party is here because this is yet another opportunity at a jobs bill that is pro-consumer and pro the American people who want and need to be able to help in a desperate time when we're losing our jobs and things are tough back home to do something positive on behalf of the American public.

This is a bipartisan bill that provides good policy for our Nation, and we're asking every single Member of Congress to understand clearly and see this for what it is. It is a jobs-protection bill.

Madam Speaker, I encourage my colleagues to vote "yes" on the rule and the underlying bill.

I reserve the balance of my time.

Mr. POLIS. Madam Speaker, I thank my friend from Texas for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Madam Speaker, it has been a remarkable April in the House of Representatives. Last week, the majority rewrote the Constitution with a bill stating that one House of Congress can deem a law made all by itself regardless of what the Senate or the President of the United States might think. And if that wasn't enough, today the majority is proposing to rewrite the laws of science itself, the definition of taxes, and the laws of economics.

Despite indisputable scientific evidence, the Republicans are seeking to bar the Environmental Protection Agency from protecting Americans' health and safety from what the scientific consensus agrees is the worst environmental threat in the world's history: global climate change.

It's akin to telling Homeland Security to stop protecting the homeland. It denies scientific proof and logic. Even the Supreme Court stated that the EPA has a responsibility to act to keep the public safe. We're witnessing nothing less today than a full assault on four decades of progress in protecting Americans from environmental dangers.

Madam Speaker, for nearly 40 years the EPA and the Clean Air Act have protected the health of Americans from dangers both seen and unseen. Over the last 20 years, the Clean Air Act prevented an estimated 843,000 asthma attacks, 18 million cases of respiratory illness among children, 672,000 cases of chronic bronchitis, 21,000 cases of heart disease, and 200,000 premature deaths—not only saving people from the human toll of dealing with illness among themselves and their family, but saving the economic costs to society and individuals from all of these conditions.

Yet my colleagues on the other side of the aisle want to ignore this progress and prevent the EPA by handcuffing it and preventing it from protecting us in the future.

Repealing the EPA's authority to limit pollution would have devastating consequences. It would increase the number of children and adults who suffer from asthma. It would increase the number of individuals with emphysema, lung cancer, bronchitis, and many other respiratory diseases driving up health care costs for all Americans significantly.

For this reason, 280 groups—including the American Heart Association, the American Public Health Association and many others—sent a letter to Congress urging us to reject measures that would block or delay the U.S. Environmental Protection Agency from doing its job to protect all Americans from life-threatening air pollution.

Madam Speaker, my friend from Texas mentioned the word "tax" six times in his remarks, to my count. It's possible I missed a couple of instances of that word as well. And yet yesterday in committee, both Chairman UPTON and Ranking Member WAXMAN agreed that the EPA does not have the statutory authority to confer any taxes whatsoever.

Therefore, the name of this bill, the Energy Tax Prevention Act, is a complete misnomer. This bill has not even originated in or been passed out of the committee in Congress that has jurisdiction in tax matters, namely, the Ways and Means Committee. It's a completely inappropriate and misleading way to convey what this bill does.

Madam Speaker, America's science and environmental policy should be driven by science and science alone. The EPA should be allowed to move forward. And I urge my colleagues to reject the rule and the underlying bill.

I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, I would like to yield 3 minutes to the distinguished gentleman from Beaumont, Texas, Judge POE.

□ 1310

Mr. POE of Texas. I thank the gentleman for yielding.

Madam Speaker, the EPA is on a mission to destroy American industry. Their damaging plan to regulate the so-called carbon emissions will cost every household in America at least \$1,600 per year. These unnecessary regulations will strangle the economy by driving up the cost of energy. Gasoline is \$4 a gallon, will soon be \$5 a gallon. It will put more Americans out of work, especially in the energy industry.

Congress must take immediate action to stop the EPA and its out-of-control concepts from ruining American industry. Earlier this year, I introduced similar legislation to what we are considering today. I introduced it during the first CR. It passed this House with bipartisan support. And what it would do is similar to what this legislation is going to do: that would be to prevent the EPA's attempt to regulate so-called greenhouse gases.

I support this rule and the underlying legislation.

Madam Speaker, in my opinion, when regulators, especially those at the EPA, go to work every day, they go down the street here to one of these marble palaces, they get in a big room with a big oak table, they drink their lattes, and they sit around and say, "Who can we regulate today?" because that's what regulators do. Regulators regulate. And they figure out new ways to regulate the entire United States, all on the so-called premise of protecting us from ourselves.

In my opinion, it has nothing really to do about protection, but it has to do about power. EPA has a power agenda and they have a political agenda, and they are trying to claim it is an agenda to protect all of us from ourselves. The EPA's regulation of greenhouse gases, in my opinion, lacks proven scientific basis. And the EPA is out of control.

You know, the EPA overregulates, and it's driving energy businesses out of this country. It's hammering the American energy industry, and I doubt whether or not it is doing so with scientific basis.

The United States is in an energy crisis. It's a national security issue. And what is the administration's energy plan? Let's not drill here. Let's not drill there. We can't drill in ANWR. We can't drill in any new lands in the United States. We are certainly not going to promote permitting in the Gulf of Mexico at a rapid pace so that we can drill there. But our energy plan, sayeth the administration, is to send money down to Brazil and let the Brazilians drill off of their coast so we can buy their crude oil. Now, that doesn't make any sense to me.

It's time for us to drill in the United States safely. It's time for America to take care of America.

And that's just the way it is.

Mr. POLIS. Madam Speaker, it is my honor to yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

PARLIAMENTARY INQUIRIES

Mr. BLUMENAUER. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. BLUMENAUER. Madam Speaker, when making decisions on a bill referral, is the bill title a consideration?

The SPEAKER pro tempore. The Chair will not render an advisory opinion on that at this time.

Mr. BLUMENAUER. Further parliamentary inquiry, Madam Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BLUMENAUER. Is it true that anyone can put the word "tax" in the title of a bill even though it has nothing to do with taxes?

The SPEAKER pro tempore. The gentleman's point has not been stated as a parliamentary inquiry.

Mr. BLUMENAUER. Madam Speaker, let me turn, if I could, to my good friend on the Rules Committee for purposes of yielding to a question, if he would.

I was just curious. I had an amendment before the Rules Committee. I noticed you waived germaneness on other questions. I had an amendment submitted that would simply ensure that the bill accurately accomplished what its title described. My amendment would have struck everything in the bill except the title, Energy Tax Prevention Act, and replaced it with language that actually prevented the EPA from imposing an energy tax.

Do you have any guidance as to why this amendment was not in order?

I yield to the gentleman from Texas.

Mr. SESSIONS. I appreciate the gentleman engaging me in a colloquy, and I will just give him a straight answer.

We did not offer any waivers. All 12 amendments offered by Democrats were germane. This, and perhaps others that were submitted to the Rules Committee, were not germane to the House rules, so we did not offer any waiver. But the others that we did, the 12, were all germane and did not have to have a waiver.

Mr. BLUMENAUER. Reclaiming my time, I would just note that the committee did deal with germaneness in terms of allowing things to go through from the Energy and Commerce Committee. It's unfortunate that you would not allow an amendment to at least have an accurate title before the Chamber for its debate.

It's clear that H.R. 910 has nothing do with energy taxes. The bill is designed to confuse Members of Congress and mislead the public. As a member of the Ways and Means Committee, I would strongly object to EPA imposing a tax on energy. But we all know that the EPA has no intention of imposing a tax on energy. Instead, this bill will overrule the scientific consensus on climate change, ignore a Supreme Court decision.

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

Mr. POLIS. I yield the gentleman an additional 30 seconds.

Mr. BLUMENAUER. It would ignore a Supreme Court decision and endanger the future of the planet.

I would strongly urge a "no" vote on the rule and the underlying bill.

I would add, Madam Speaker, that a statement from the Joint Committee on Taxation indicates that this bill has nothing to do with taxation.

CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON TAXATION,
Washington, DC.

Hon. EARL BLUMENAUER,
House of Representatives, Rayburn House Office
Building, Washington, DC.

DEAR MR. BLUMENAUER: This letter is in response to your request dated April 5, 2011, for an estimate of H.R. 910, the "Energy Tax Prevention Act of 2011." That bill limits the ability of the Administrator of the Environmental Protection Agency to use authority granted under the Clean Air Act to promulgate regulations or take other actions relating to the emission of greenhouse gases to address climate change.

While the bill does not reference anything in the Internal Revenue Code, there are at least half a dozen places in the Internal Revenue

Code (the "Code") that cross reference the Environmental Protection Agency and the Clean Air Act. For example, Code section 40(b)(6)(E) defines cellulosic biofuel in part as a liquid that meets the registration requirements for fuels and fuel additives established by the Environmental Protection Agency under section 211 of the Clean Air Act.

There are also additional instances in the Code that do not reference the Clean Air Act but do require consultation with the EPA Administrator. For example, section 45Q, which provides a credit for carbon dioxide permanently sequestered in secure geological storage provides that "the Secretary, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Energy, and the Secretary of the Interior, shall establish regulations for determining adequate security measures for the geological storage of carbon dioxide . . . such that the carbon dioxide does not escape into the atmosphere."

Notwithstanding these and similar Code provisions that cross reference certain Clean Air Act rules or require consultation with the EPA Administrator, we do not think it likely that H.R. 910 will have an effect on Federal fiscal year budget receipts.

I hope that this information is helpful to you. If we can be of further assistance in this matter, please let me know.

Sincerely,

THOMAS A. BARTHOLD,
Chief of Staff.

Mr. SESSIONS. Madam Speaker, I yield 3 minutes to one of our brand-new freshmen, a gentleman who is not only on what is called an A committee but an exclusive committee of the United States Congress, who has had a distinguished career as a sheriff in Florida and who is a distinguished member of the Rules Committee, the gentleman from Florida (Mr. NUGENT).

Mr. NUGENT. I thank the gentleman from Dallas, Mr. SESSIONS.

Madam Speaker, today I rise in support of House Resolution 203 and the underlying legislation, H.R. 910.

When I talk to people in Florida's Fifth District about what we are doing here in the House of Representatives to cut spending, reduce the size and scope of the Federal Government, I always stress that we are just one part of the process. The House can only do so much. We still need the Senate and the President to sign off on any legislation we pass before it becomes law. This is one of the most basic building blocks of our government and one we're reminded of as we continue to wait on the Senate to pass a budget for this fiscal year and to prevent a government shutdown.

But the Obama administration has decided to bypass Congress on the issue of greenhouse gas. Can't pass cap-and-tax? Push the greenhouse agenda on the American people another way. So now unelected bureaucrats in the EPA are trying to regulate greenhouse gases.

Among the gases the EPA is trying to regulate is methane. According to EPA, 28 percent of the global methane emissions they classify as coming from human-related activities actually come from livestock. I don't think it's a coincidence that the EPA's move to regu-

late methane, including cow flatulence, comes on the heels of a report from the United Nations Food and Agriculture Organization that states: "Livestock are one of the most significant contributors to today's most serious environmental problems. Urgent action is required to remedy the situation."

Now, I am pretty sure if you asked the ranchers of Florida's Fifth District, as much as they would like to regulate cows from passing gas for plenty of reasons, some smellier than others, we just don't have that capacity. Nevertheless, EPA wants to follow the U.N.'s lead and regulate methane. And the cost of that will inevitably fall upon the backs of America's families.

Madam Speaker, H.R. 910 is a good and important bill.

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

Mr. SESSIONS. I yield the gentleman 1 additional minute.

Mr. NUGENT. Similarly, the rule provided by H. Res. 203 gives us time for a full, comprehensive debate on the issue, and I encourage my colleagues to support them both.

□ 1320

Mr. POLIS. I yield myself 1 minute to respond.

I know the gentleman from Florida mentioned the cow flatulence in our committee meeting last night, and it sounded like a topic that bore looking into. I did have a chance to look it up in the interim, and Fox News had reported the prospect of EPA regulating cow and livestock gas.

However, it never existed. FactCheck.org, which I looked it up on, dispelled the myth and EPA itself actually came out with a statement that said not only is there no such regulation that it discussed or was in the works, but even EPA admitted it's not under their authority to regulate that in any way, shape or form.

So it is a false accusation with regard to the issue regarding livestock.

Madam Speaker, it's my honor to yield 2 minutes to the gentleman from Vermont (Mr. WELCH), a former member of the Rules Committee and a former member of the Energy and Commerce Committee. He has racked up quite a few former memberships.

Mr. WELCH. I thank the gentleman.

Madam Speaker, today's legislation is essentially about the very simple sounding act of abolishing the Clean Air Act.

Why? How is it that we are going to do this? The authors in support of this legislation have come to the legislative conclusion that global warming is a hoax. Give him credit. Coming to that conclusion was a big lift. It flies in the face of the unanimous conclusion of American scientists, 97 percent, that global warming is real and it's man-made.

And, you know, when you are going to get to that conclusion, you have to follow a long-established tradition we humans have, and that's the ability to

disregard the obvious and the proven when that conflicts with what our ideology says we want.

You know, Aristotle was the EPA of his day. He was attacked when he said that the Earth was round. The world at that time thought the world was flat, and people argued with Aristotle and about Aristotle for 1,500 years.

Galileo became the EPA of his day when he said that the Earth revolved around the sun. He too was attacked for centuries for being “wrong.”

Today we have unanimous, near unanimous, scientific conclusion that global warming exists, it's a threat to our planet, it's a threat to our health and, yet, as the folks who attacked Aristotle when he said the Earth was round, as the folks who attacked Galileo when he said the Earth revolved around the sun, the authors, in support of this legislation, deny the proven fact of global warming and wave it away by abolishing the Clean Air Act. This is the wrong step to be taking.

Mr. SESSIONS. Madam Speaker, there was a dialogue back and forth about cows, cattle, and that the EPA really is not after that issue. But if you go to the EPA Web site, epa.gov, and you look under the portion called “Frequent Questions” where it deals with livestock, in fact, the EPA is trying to talk about methane produced by livestock. And it ends up saying, as I read from my BlackBerry, that essentially 20 percent of all the methane content in the air comes from livestock.

Well, that's what they want to regulate, which means they would get in the business whether we said this or not.

Mr. POLIS. Will the gentleman yield?

Mr. SESSIONS. The gentleman will have his own time in a minute, and I'm sure he will be very effective.

But I encourage the gentleman to get on his BlackBerry and go to the Web site and look this up. They're going to blame it on cattle. They're going to tax cattle. They're going to tax the output because that's what they are proposing.

Madam Speaker, at this time I would like to yield 3 minutes to the distinguished gentleman from Ennis, Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Madam Speaker, I rise in strong support of this rule and in strong support of the underlying bill.

I have been a member of the Energy and Commerce Committee for 26, now 27 years. I'm a past chairman. I'm a past subcommittee chairman. I currently have the title of chairman emeritus.

I participated under former Chairman JOHN DINGELL, former Chairman Billy Tauzin, former Chairman Tom Bliley, former Chairman HENRY WAXMAN and now current Chairman FRED

UPTON, dozens of hearings on the Clean Air Act, markups, amendments, dozens of hearings on climate change, global warming and all of those issues.

The bill before us, if the rule passes, does not change the Clean Air Act. It does not gut the Clean Air Act. It does not in any way prevent enforcement of the criteria pollutants that are regulated by the Clean Air Act. It simply says that greenhouse gases are not to be regulated under the Clean Air Act.

And the reason it says that is that greenhouse gases are different than the criteria pollutants that are regulated under the Clean Air Act. First of all, greenhouse gases by definition are necessary for life.

As I stand here, Madam Speaker, and speak, I am creating, as I breathe in and out through the respiratory process, CO₂. So under the dictates of today's EPA, I am a mobile source polluter, because I am breathing. I am creating CO₂.

CO₂, carbon dioxide, is necessary for life. Greenhouse gases are necessary to protect the environment. They have the ability to prevent heat from escaping into outer space, and that is what creates the temperature zone that allows life to exist.

The radical environmentalists who think CO₂ is a pollutant have decided amongst themselves—I don't know how they have done it—but they have decided that the magic number for CO₂ in the atmosphere should be about 350 parts per billion. We are currently at about 380 parts per billion.

We know from records and from ice samples and tree rings and things like this of the past that we have had CO₂ up in the thousands parts per billion in the past. So how 350 has become the magic number is beyond me.

In any event, let me simply say, the bill before us doesn't change one sentence in the Clean Air Act. It does say that the endangerment finding was flawed, and the decision by the Obama administration to regulate CO₂ under the Clean Air Act is wrong, and it should not be allowed to stand.

If this Congress or future Congresses want to regulate CO₂, want to regulate greenhouse gases, let them bring a bill forward through the normal regulatory process and do it.

Please vote for the rule. Please vote for the bill.

Mr. POLIS. I yield myself 1 minute. Madam Speaker, it's hard to figure out where to start with regard to refuting some of the statements that were made.

First of all, again, with regard to the information regarding methane emissions on the EPA Web site, there is a difference between a statement of fact and an action, and part of what the EPA does is it provides good scientific facts.

They, EPA itself, concedes and says they don't have the authority, nor should they have the authority, to monitor emissions from livestock. So they will publish good information. I

don't refute the information the gentleman said, and I hope they publish more useful information about the impact of livestock, but they are not seeking to regulate it.

The gentleman said they are going to tax cattle. Again, very clearly, Chairman UPTON, Ranking Member WAXMAN, said the EPA does not have the ability to impose a tax.

I would ask my colleague from Texas a simple “yes” or “no” question: Does the EPA have the ability to impose a tax?

Mr. BARTON of Texas. Will the gentleman yield?

Mr. POLIS. I yield to the gentleman.

Mr. BARTON of Texas. A tax is a burden.

Mr. POLIS. Reclaiming my time, it's a simple “yes” or “no” question. If there is an additional statement the gentleman would like to make, I would be happy to have him explain it on his own time. My time is limited and I have many speakers.

But I would be happy to enter into a dialogue with him on his time or allow him to respond to whether or not the EPA has the ability to impose a tax.

I yield 2 minutes to the gentleman from Illinois (Mr. QUIGLEY).

Mr. QUIGLEY. Madam Speaker, we spend a lot of time these days talking about costs—costs of regulation, costs of repeal, costs of implementation.

Conveniently missing from this discussion are the human costs: lives lost, those altered by heart attacks, asthma, and brain damage due to fine particulate matter in our air and mercury in our water.

My hometown of Chicago knows this all too well. Chicago ranks second of all cities in the country adversely affected by power plant pollution.

□ 1330

Two particularly egregious emitters, the Fisk and Crawford power plants, emit fine particulate matter that directly contribute to 41 deaths, 550 ER visits, and 2,800 asthma attacks annually. EPA estimates that fine particle pollution from power plants shortens the lives of 1,356 people from my home State each year.

Talk about costs.

In 2001, the Harvard School of Public Health put out an Illinois power plant study. In the 8 years since these harms were modeled and publicized, the Environmental Law and Policy Center estimates the continued Fisk and Crawford coal plant pollution has caused from \$750 million to \$1 billion in health and environmental-related damages.

Even if you don't care about global warming and you don't believe climate change is manmade, you can't argue with these numbers. So if you want to talk costs, let's talk costs. Fisk and Crawford power plants cost Chicagoans 550 ER visits per year. They cost Chicagoans 2,800 asthma attacks per year. And Fisk and Crawford power plants cost Chicagoans \$750 million to \$1 billion in only 8 of the 50 plus years

we've been collecting data on these pollutants.

The answer to these costs is not to repeal the law that cleans our air, that protects our children and allows us to remain competitive in a global market. The answer instead is to transition away from the antiquated and outdated industry that pollutes and toward green infrastructure that encourages domestic economic development.

I urge my colleagues to oppose the rule and H.R. 910, the dirty air act.

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

Mr. POLIS. Madam Speaker, I yield 3 minutes to the gentleman from Massachusetts, a colleague on the Rules Committee, Mr. MCGOVERN.

Mr. MCGOVERN. Madam Speaker, I rise in strong opposition to this rule and to the underlying legislation which is an assault on science and reason. Indeed, it is an assault on the very air we breathe. My Republican friends continue to bury their heads in the sand.

Last night in the Rules Committee, along with my colleagues EARL BLUMENAUER and PETER WELCH, I offered an amendment to end taxpayer subsidies to Big Oil, something the Republican leadership has refused to do. These subsidies have helped BP, Chevron, ConocoPhillips, ExxonMobil, and Shell make a combined profit of nearly \$1 trillion over the past decade. That is trillion with a "t." Give me a break.

Our amendment would have raised \$40 billion that would have gone straight toward deficit reduction. Unfortunately, but not surprisingly, our amendment was defeated on a party-line vote. That shows exactly where the Republican priorities are, Madam Speaker, a radical redistribution of wealth from the middle class and the poor to the wealthiest people and corporations in the country.

Yesterday, our Republican friends unveiled their budget proposal. That budget takes extreme, right-wing trickle-down economics to new levels. They want to destroy Medicare as we know it and impose a huge tax increase on middle class seniors through higher health care costs. They want to eviscerate Medicaid by turning it into a block grant program. They want to cut food stamps, education, infrastructure, environmental protection, and medical research, programs which actually create jobs and improve the lives of American working families.

And at the same time, my Republican friends want to provide massive tax cuts to the very wealthiest Americans and corporations, including Big Oil companies that are reaping billions and billions and billions of dollars in profits each year. The Republican Party wants to increase health care costs for seniors in order to pay for their tax breaks for the rich. Those are wrong priorities, Madam Speaker.

As Harold Meyerson wrote today in the Washington Post, "If it does nothing else, the budget that House Republicans unveiled Tuesday provides the

first real Republican program for the 21st century, and it is this: Repeal the 20th century."

For the life of me, I can't understand why the people who caused the recession be allowed to keep everything while innocent workers get the bill.

We all want to reduce the deficit, Madam Speaker. How about ending our occupation in Afghanistan? How about ending subsidies for multinational oil companies and agribusiness? How about asking hedge fund managers to pay a fair tax rate?

The Republican leadership has made it clear that they are willing to shut the government down in order to achieve their right-wing, radical agenda. And if that happens, Madam Speaker—and I hope it doesn't, and I pray it doesn't—the American people need to know that the responsibility lies at the feet of the Republican Members of this House.

Again, I urge my colleagues to reject this—again, another restrictive rule—and reject the underlying legislation.

Mr. SESSIONS. Madam Speaker, my, oh my, we've heard this tirade before. If it wasn't just Republicans and the House, which we've had now for about 4 months, it was something else. The Democrats are looking for somebody to blame their woes on, their tax increases, their overregulation, all the big spending and the debt. Madam Speaker, we know what it is. If they search quickly enough, they can find out what the American people know: It is pin the tail on the donkey. We know how this happened.

Madam Speaker, I yield 3 minutes to the gentlewoman from Grandfather Community, North Carolina, Dr. FOXX.

Ms. FOXX. I thank my colleague from Texas for yielding time.

Madam Speaker, our colleagues on our side of the aisle have made it abundantly clear that this bill does not affect the Clean Air Act. What it does is help us rein in unelected bureaucrats who are arrogant and who believe that they have all the answers to what needs to be done in this country.

After listening to the debate over this issue, it's clear to me that nary a liberal here has read a book entitled "Heaven and Earth" by Ian Plimer, a renowned Australian geologist who takes a science-based approach to disproving so many of the myths underlying the manmade global warming theories. It is a unique, gripping, and powerful book that would undoubtedly leave a deep impression on any independent thinker. And I also want to mention, Madam Speaker, another book, the Heartland Institute book review of a book called "The Politically Incorrect Guide to Global Warming and Environmentalism" by Christopher Horner, which highlights some of the motivations for liberals to persist with the manmade global warming theory.

Horner tells us, "Global warming hysteria is truly the environmentalist's dream come true. It is the perfect storm of demons and perils, and the

ideal scare campaign for those who would establish global governance." And he goes on, "We are daily told of an alleged 'consensus' on the issue—a concept actually foreign to science—and global warming alarmists want to put disbelievers on trial. They want to control our lifestyles without anyone being allowed to question their cause." And he says, "Nowhere is Horner more brilliant than in convincing the reader of the odious concept of consensus taking root regarding climate science, where alarmists and the rest of the global warming industry assail scientists and other experts with ad hominem campaigns to discredit them. History is 'full of efforts to stifle innovation by reference to unchallengeable authority of consensus.' Galileo and Copernicus come quickly to mind."

Madam Speaker, this shows the arrogance of our colleagues across the aisle and the arrogance of the bureaucrats. They think that we human beings have more impact on the climate and the world than God does. And we don't.

□ 1340

Mr. POLIS. Madam Speaker, I yield myself 1 minute.

The gentlelady mentioned science. One of the expert witnesses the Republicans called for last week's congressional hearing on climate science was Professor Richard Muller of Berkeley. Now, this was a physicist who had gotten into the climate skeptic game. And I have to say, the climate skeptic game is a very lucrative one for people. Anybody who finds a way to deny climate change sells lots of books, gets booked on the conservative talk show circuit, and does very well for themselves. And yet, despite the intensive economic pressure for climate scientists to deny climate change, 99 percent have stayed true to the scientific method; and the conclusion of the vast majority is that climate change exists.

Now, Professor Muller reported that his group's preliminary findings were that the global warming trend is very similar to that reported by prior groups. Now, this took some courage. Because of his belief in science, no doubt it hurts his own earning potential. I think he had been doing very well as a climate skeptic. Now he is somebody who has put his scientific principles above his own economic need.

What science tells us is not always convenient. Every climate scientist that I know wishes that they could say that there is no danger from climate change, wishes there was no danger from carbon emissions. Nobody wants to be a harbinger of disaster—what a terrible thing to be—and yet they value the integrity of the scientific process.

[From the New York Times, Apr. 3, 2011]

THE TRUTH, STILL INCONVENIENT

(By Paul Krugman)

So the joke begins like this: An economist, a lawyer and a professor of marketing walk into a room. What's the punch line? They

were three of the five "expert witnesses" Republicans called for last week's Congressional hearing on climate science.

But the joke actually ended up being on the Republicans, when one of the two actual scientists they invited to testify went off script.

Prof. Richard Muller of Berkeley, a physicist who has gotten into the climate skeptic game, has been leading the Berkeley Earth Surface Temperature project, an effort partially financed by none other than the Koch foundation. And climate deniers—who claim that researchers at NASA and other groups analyzing climate trends have massaged and distorted the data—had been hoping that the Berkeley project would conclude that global warming is a myth.

Instead, however, Professor Muller reported that his group's preliminary results find a global warming trend "very similar to that reported by the prior groups."

The deniers' response was both predictable and revealing; more on that shortly. But first, let's talk a bit more about that list of witnesses, which raised the same question I and others have had about a number of committee hearings held since the G.O.P. retook control of the House—namely, where do they find these people?

My favorite, still, was RON PAUL's first hearing on monetary policy, in which the lead witness was someone best known for writing a book denouncing Abraham Lincoln as a "horrific tyrant"—and for advocating a new secessionist movement as the appropriate response to the "new American fascialistic state."

The ringers (i.e., nonscientists) at last week's hearing weren't of quite the same caliber, but their prepared testimony still had some memorable moments. One was the lawyer's declaration that the E.P.A. can't declare that greenhouse gas emissions are a health threat, because these emissions have been rising for a century, but public health has improved over the same period. I am not making this up.

Oh, and the marketing professor, in providing a list of past cases of "analogies to the alarm over dangerous manmade global warming"—presumably intended to show why we should ignore the worriers—included problems such as acid rain and the ozone hole that have been contained precisely thanks to environmental regulation.

But back to Professor Muller. His climate-skeptic credentials are pretty strong; he has denounced both Al Gore and my colleague Tom Friedman as "exaggerators," and he has participated in a number of attacks on climate research, including the witch hunt over innocuous e-mails from British climate researchers. Not surprisingly, then, climate deniers had high hopes that his new project would support their case.

You can guess what happened when those hopes were dashed.

Just a few weeks ago Anthony Watts, who runs a prominent climate denialist Web site, praised the Berkeley project and piously declared himself "prepared to accept whatever result they produce, even if it proves my premise wrong." But never mind: once he knew that Professor Muller was going to present those preliminary results, Mr. Watts dismissed the hearing as "post normal science political theater." And one of the regular contributors on his site dismissed Professor Muller as "a man driven by a very serious agenda."

Of course, it's actually the climate deniers who have the agenda, and nobody who's been following this discussion believed for a moment that they would accept a result confirming global warming. But it's worth stepping back for a moment and thinking not just about the science here, but about the morality.

For years now, large numbers of prominent scientists have been warning, with increasing urgency, that if we continue with business as usual, the results will be very bad, perhaps catastrophic. They could be wrong. But if you're going to assert that they are in fact wrong, you have a moral responsibility to approach the topic with high seriousness and an open mind. After all, if the scientists are right, you'll be doing a great deal of damage.

But what we had, instead of high seriousness, was a farce: a supposedly crucial hearing stacked with people who had no business being there and instant ostracism for a climate skeptic who was actually willing to change his mind in the face of evidence. As I said, no surprise: as Upton Sinclair pointed out long ago, it's difficult to get a man to understand something when his salary depends on his not understanding it.

But it's terrifying to realize that this kind of cynical careerism—for that's what it is—has probably ensured that we won't do anything about climate change until catastrophe is already upon us.

So on second thought, I was wrong when I said that the joke was on the G.O.P.; actually, the joke is on the human race.

Madam Speaker, I am proud to yield 2 minutes to the gentlewoman from Hawaii (Ms. HIRONO).

Ms. HIRONO. Madam Speaker, I thank the gentleman from Colorado for yielding me this time.

I rise in opposition to this rule and to the underlying legislation, H.R. 910, the Energy Tax Prevention Act. In spite of the title of this bill, it has absolutely nothing to do with limiting taxes on energy or taxes from the get-go. This bill should be called the Dirty Air Act because it turns back the clock by erasing years of advances that we have made in fighting air pollution and curbing greenhouse gas emissions.

This bill ignores the clear-cut scientific evidence: carbon pollution is endangering our health and the environment and that the need for urgent action to address climate change is indisputable.

This bill prevents the Environmental Protection Agency, EPA, from acting under the Clean Air Act to reduce greenhouse gas emissions unequivocally linked to climate change. Under this bill, EPA will be prohibited from enforcing common sense, and I want to repeat that word, commonsense protections against carbon dioxide pollution and other greenhouse gases.

Since its enactment in 1970, the health benefits of the Clean Air Act have far outweighed industry's compliance costs. Toxic and health-threatening air pollutants have been reduced by 60 percent, and the world did not come to an end for corporations. In fact, during this time the economy grew by 200 percent.

This legislation guts the Clean Air Act pollution standards and repeals EPA's authority to limit health-threatening pollution. And for what? For what, to protect the profits of the big polluters; and in so doing, this bill repeals important safeguards that are needed to create American clean energy jobs, reduce energy costs, reduce our dependence on foreign oil, and increase our economic competitiveness.

We cannot pass this Republican majority's anti-science, anti-innovation bill. And let's not forget one of their top goals: continuing multi-billion dollar tax breaks for the oil and gas solution.

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

Mr. POLIS. I yield the gentlewoman an additional 30 seconds.

Ms. HIRONO. In my book, clean air and the health of the American people trump profits for polluters every time. I urge my colleagues to vote against this rule and against this bill.

Mr. SESSIONS. Madam Speaker, we are talking about 1.4 million jobs, a lot of cattle, and a lot of bull.

Madam Speaker, at this time I would like to yield 1 minute to the gentleman from Melbourne, Florida (Mr. POSEY).

Mr. POSEY. Madam Speaker, Congressman WEBSTER and I were walking past the rear of the Chamber, and we looked at each other kind of funny after some former comments and thought we were walking by a set for comedy hour.

I mean, I think I really heard somebody allude to the fact that we need more government regulation and for sure we need more taxes on the oil companies, those evil oil companies, and the answer to all of our problems is to tax them more—as if the Members of this body and the public are stupid enough to think that at the end of the year, those big oil companies are just going to write a check for an extra zillion dollars.

Let's say we tax those evil oil companies another dollar a gallon. They're not going to write the check. We know what's going to happen: They're going to raise the price a dollar a gallon, or, given the corporate greed we sometimes see, round it off to 2 bucks a gallon.

Corporations don't pay taxes. Corporations collect taxes. They collect taxes from consumers who ultimately pay the tax. You add a tax to a product, and the consumer is going to pay more.

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

Mr. SESSIONS. I yield the gentleman an additional 1 minute.

Mr. POSEY. I wish we would, as the gentleman from Texas said, quit trying to play "Pin the Tail on the Donkey." We know corporations don't pay taxes. Consumers pay taxes; corporations just collect it.

Mr. POLIS. Madam Speaker, when we defeat the previous question, I will offer an amendment to the rule to provide that immediately after the House adopts this rule, it will bring up Senate bill 388, a bill that prohibits Members of Congress and the President from receiving pay during government shut-downs.

It is my honor to yield 3 minutes to the gentleman from Virginia, a sponsor of a bill to do the same, Mr. MORAN.

Mr. MORAN. I thank my very good friend from Colorado.

Madam Speaker, I rise in opposition to this rule. The Federal Government is now 6 months into fiscal year 2011 without a budget. We've created no new jobs and, in fact, have put tens of thousands of people out of work.

All we've done is to stumble along from continuing resolution to continuing resolution. That's no way to run a government, let alone the most powerful Nation in the world.

Sadly, with the clock running, ticking toward the midnight hour of a government shutdown on Friday, agreement on a full-year budget is nowhere to be found. We have no consensus. We can't get together. We can't do our job.

And instead, the Republicans in this House continue to serve up far right ideological proposals such as this which pretends that global warming isn't really happening. It will block EPA's modest attempts to limit the growth of greenhouse gas emissions that are endangering the public's health and our children's future.

Instead of such sham political posturing, this body would be far wiser to bring up a bill that has already been passed in the Senate and sits ready for consideration in the House today. That is the Moran-Tester Government Shutdown Fairness Act. On the eve of a government shutdown, with hundreds of thousands of government employees facing furloughs, and millions of Americans having to forgo the essential services that the Federal Government provides on a daily basis, it is unconscionable that Members of Congress will continue to receive their pay.

Having abdicated our responsibility to do our job, to pass a budget, we should not continue to receive a paycheck. It is simply a matter of fairness, Madam Speaker. If all Americans are going to feel the pain of a government shutdown, then we should make sacrifices, too. The Moran-Tester bill would suspend Members' pay in the event of a shutdown. The Senate passed it unanimously, and so should we. It's the one thing we could agree on now and have signed by the President immediately. That's the vote we should be taking today.

Now, some have argued for self-centered reasons that the Moran-Tester bill is unconstitutional, but that's simply a smokescreen, Madam Speaker. They know perfectly well that the courts decide matters of constitutionality. Further, we know that the only individuals with standing before the court would be the very Members of Congress who would be voting to shut down the government.

So just consider the scene where Members of Congress would be arguing—

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

Mr. POLIS. I yield the gentleman an additional 30 seconds.

Mr. MORAN. So I ask, Madam Speaker, just to consider the scene where Members of Congress would be arguing before the courts their right to be paid while millions forgo their pay.

Madam Speaker, this body is wasting its time with the legislation we are considering today. Let's demonstrate to the public that we are willing to make the same sacrifice we are asking of others. If we are going to put 800,000 Federal employees and our staff out on the street, then we ought to be out there with them. Take up the Moran-Tester bill instead of this expression of ideological extremism that is dead on arrival in the Senate. That's what we should be doing.

Mr. SESSIONS. Madam Speaker, there was a discussion a few minutes ago about Republicans and oil companies and a lot of very interesting comments. Yet many on our side have alluded to President Obama supporting the Brazilian Government and people by supporting their oil drilling, drilling for natural resources that they have. The President is willing to go down and back up a 2009 commitment to proposing \$2 billion from the Export-Import Bank to the Brazilian company that is their energy company.

And I would like to quote what he said, if I can, because I think it's very interesting: "At a time when we've been reminded how easily instability in other parts of the world can affect prices, the United States could not be happier for a new, stable source of energy."

Madam Speaker, what he just spoke of was the United States' ability to produce our own oil so we don't have to look to foreigners to get that done.

[From The Hill, Mar. 21, 2011]

OVERNIGHT ENERGY: REPUBLICANS POUNCE ON OBAMA'S BRAZILIAN OIL SUPPORT

(By Andrew Restuccia and Ben Geman)

State of Play: Republicans and the oil industry are working to translate President Obama's weekend comments in support of Brazilian oil development into political ammunition in their battle against the White House's U.S. drilling policies.

The American Petroleum Institute, the country's most powerful oil and gas trade association, and Republicans, including House Speaker John Boehner (R-Ohio), said Monday that the administration should be doing more to develop U.S. oil-and-gas reserves.

Here's Sen. David Vitter (R-La.), who is among the lawmakers pushing for wider U.S. offshore drilling: "It's ridiculous to ignore our own resources and continue going hat-in-hand to countries like Saudi Arabia and Brazil to beg them to produce more oil," Vitter said in a statement. "We need to get serious about developing our resources here at home and working toward lower gas prices and long-term energy independence."

But President Obama said Saturday during his visit to Brazil that an energy partnership with the nation will offer major benefits for the United States. Obama, in announcing a "Strategic Energy Dialogue" with Brazil, noted that the country has nearly twice the oil reserves as the United States and lauded its stability compared to some other oil-exporting countries.

"We want to work with you. We want to help with technology and support to develop these oil reserves safely, and when you're ready to start selling, we want to be one of your best customers," Obama told a group of business leaders Saturday. "At a time when we've been reminded how easily instability in other parts of the world can affect the

price of oil, the United States could not be happier with the potential for a new, stable source of energy."

Under the Strategic Energy Dialogue, the United States will work with Brazil "in the environmentally responsible and technologically advanced development" of Brazilian oil resources, according to a White House summary of the plan.

Administration officials also say they are working diligently to expand U.S. oil-and-gas development. The Interior Department has recently issued three deepwater drilling permits for the type of projects halted after last year's Gulf oil spill. And the department on Monday approved an exploration plan that paves the way to expanded Gulf drilling.

Still, it's not the first time Republicans have criticized the administration for its oil dealings with Brazil. Vitter and others railed against a 2009 proposed \$2 billion commitment from the U.S. Export-Import Bank to the Brazilian oil company Petrobras to ensure the purchase of U.S. goods as the company explores for oil.

Many Republican claims about the Export-Import proposal have been shown to be overblown.

Forbes ran a handy fact-check Monday on Republicans' claims about the proposed Petrobras loans. And the Export-Import Bank takes on Republican charges here.

PROGRESS AND SETBACKS AT STRICKEN JAPANESE NUKE PLANT

"Tokyo Electric Power Co. continued to report progress in restoring order at the Fukushima Daiichi nuclear reactors, but finishing the job is turning out to be a painstaking process plagued by damaged equipment and unexpected incidents," The Wall Street Journal reports.

COURT RULING HITS CALIFORNIA CLIMATE PROGRAM

"California did not adequately consider alternatives to its plan to create a cap-and-trade market for carbon emissions, a judge ruled on Monday, throwing a wrench into the most aggressive U.S. effort to combat climate change," Reuters reports.

U.S., CHILE STRIKE GREEN DEALS

President Obama's trip to South America is bearing green fruit, according to the White House, which is touting expansion of work with Chile on energy and climate change.

The White House noted several areas of cooperation. Under the existing Energy and Climate Partnership of the Americas, "the United States intends to support the establishment of a regional research network for glacier monitoring and modeling led by Chile's world-class researchers," the White House said.

"This network will inform policy and decisionmaking by providing a more robust understanding of how glacial retreat will impact water security in Andean glacier countries," a summary states.

President Obama lauded the various areas of cooperation during a press conference with Chilean President Sebastian Pinera. "I want to commend President Pinera for agreeing to take another step, hosting a new center to address glacier melt in the Andes. In addition, a new U.S.-Chile energy business council will encourage collaborations between our companies in areas like energy efficiency and renewable technologies," Obama said at a joint news conference in Santiago.

Three days ago the two nations also inked a formal "memorandum of understanding" on peaceful uses of nuclear energy.

HOUSE VOTE ON PESTICIDES LOOMS

House lawmakers will vote next week on a bill to limit the Clean Water Act's jurisdiction over pesticide applications. The Hill's Floor Action blog reports:

The House is expected to take up legislation next week that would reverse a court decision that said pesticide use is regulated by the Clean Water Act, in addition to a federal pesticide law.

The House Transportation and Infrastructure Committee last week marked up the bill, H.R. 872, and Republicans want to move the measure quickly so it can take effect before April 9. That date is the deadline by which the Environmental Protection Agency (EPA) is due to announce a new permitting process for pesticides that takes the court ruling into account.

Staff for Rep. Bob Gibbs (R-Ohio), who sponsored the bill, said they expect it to be considered next week in order to meet that deadline.

The bill is a reaction to a decision by the 6th Circuit Court of Appeals in the case National Cotton Council v. EPA. According to the Transportation and Infrastructure Committee, that decision vacated an EPA rule that said using pesticides in compliance with federal pesticide regulations means a permit is not required under the Clean Water Act.

CHAMBER TO HOST DISCUSSION ON REGULATORY PROCESS

The U.S. Chamber of Commerce will host an event Tuesday called "restoring balance to the regulatory process." The event will focus in part on the Obama administration's energy and environmental regulations.

"Tuesday's discussion, hosted at the Chamber, will focus on how we implement more checks and balances to improve the process and guarantee sensible regulation, while also ensuring that federal agencies are held accountable to the people," said Bill Kovacs, senior vice president for environment, technology and regulatory affairs at the Chamber.

STATE DEPARTMENT, WORLD BANK LOOK TO BOOST WATER SECURITY

The State Department will mark World Water Day by expanding cooperation with the World Bank. Secretary of State Hillary Rodham Clinton will sign a memorandum of understanding with the bank at its headquarters.

"The MOU will strengthen support to developing countries seeking a water-secure future," an advisory states.

THINK TANK GETS EFFICIENT

The Center for Strategic and International Studies will host Obama administration officials and other experts at a forum on energy efficiency. Speakers will include Rick Duke, the deputy assistant secretary for climate change.

GROUP TO RELEASE NUKE POLL

The Civil Society Institute will release polling that explores attitudes about nuclear power amid the crisis at Japan's stricken reactors.

The poll is the "first major survey to look at the views of Americans on the broad policy implications of the Fukushima reactor crisis—including support for federal loan guarantees for new U.S. reactors, the merits of shifting federal resources from nuclear to less renewable energy alternatives and whether or not to end federal indemnification of the nuclear industry against nearly all cleanup costs," the group said.

IN CASE YOU MISSED IT . . .

Here's a quick roundup of Monday's E2 stories:

House Oversight and Government Reform Committee Darrell Issa (R-Calif.) said the country's nuclear reactors need to be re-examined.

The Nuclear Regulatory Commission detailed its review of U.S. reactors.

The Environmental Protection Agency warned of a banned pesticide in a product used to kill ants.

A top House Democrat said military action in Libya is motivated by oil.

Top lawmakers on the Senate Energy and Commerce Committee put out a call for input on the "clean energy standard."

And the Obama administration approved the first deepwater exploration plan since last year's Gulf oil spill.

□ 1350

I reserve the balance of my time.

Mr. POLIS. I yield myself 1 minute.

Madam Speaker, I want to be clear that we can in this body take up and pass Senate bill 388 if we can defeat the previous question, and this will go directly to the President's desk. There is still time.

I think the American people don't know that if government shuts down at the end of the day Friday as it might—it seems increasingly likely—Members of Congress will still continue to receive their paycheck. I had a tweet from one of my constituents that said, "If there is a government shutdown, are Congressmen and Senators considered essential employees?"

I responded that we had a bill, Senate bill 388, that would make sure that Members of Congress don't get paid in the event of a shutdown, but Speaker BOEHNER refuses to bring it to the floor of the House in spite of passing the Senate unanimously.

My constituent responded, "Maybe if the rulemakers had to live by the same rules they created, a solution would come faster. Gridlock is not governance."

Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. The next sad chapter in Republican Fantasyland is being written here today. Last month, they couldn't tell the difference between Big Bird and big government. Now they insist that dirty air is really good for us. They live in a fact-free zone when the facts don't support their point of view, insisting that big polluters know best and that good science should be ignored.

The Clean Air Act for the last 40 years has improved air quality and saved hundreds of thousands of lives. Unfortunately, my home State of Texas is one of the world's leading carbon polluters, and it is also one of the leaders in condoning lawlessness by those polluters. Foul air fouls lives and especially young lungs. For my three granddaughters and their generation, particularly for the more than 23,000 children in my home county who are suffering from asthma, we need to ensure clean air, and that ought to be a given, not just a goal.

Science-based decisions, not ideologically driven nonsense, should guide us. I stand with the American Lung Association and with a large number of scientists across many disciplines who call for this bill's rejection. And in its drive to interfere with our health, this same Republican proposal creates the very type of uncertainty that stands in the way of more job creation through-

out Texas, and Texas moving to become the leading wind provider in the country. Those wind turbines could be built in our State. Solar energy could be expanding in our State. But a climate of uncertainty to which this bill adds even more will interfere with the start-ups, with the new ideas that keep us at the forefront of creating clean jobs instead of sending all those jobs over to China and other parts of the world.

This is a bad bill for our economy, and it is a bad bill for the future health of our country. I urge its rejection.

Mr. SESSIONS. Madam Speaker, at this time I would like to notify the gentleman that I have no further speakers on this side.

I reserve the balance of my time.

Mr. POLIS. I thank the gentleman. I am the last speaker for my side, and I yield myself the balance of my time.

I would like to submit into the RECORD a Nature editorial entitled, "Into Ignorance: Vote to Overturn an Aspect of Climate Science Marks a Worrying Trend in U.S. Congress."

Madam Speaker, time and time again we've heard our colleagues cry wolf and make outlandish claims about what the Environmental Protection Agency is attempting to do. But the American people aren't fools. They know that every time the EPA stands up to big polluters, big polluters claim the sky is falling.

That's exactly what happened when the EPA tackled the acid rain problem. Polluters claimed new safeguards would end their industries, increase the price of consumer goods, and cause massive job loss. In reality, acid rain has been dramatically reduced and the limits on pollution were met faster and at roughly a tenth of the cost that industry estimated—all without driving consumer prices up.

A recent MIT study even suggests that implementing the EPA safeguards we are debating today would create 1.4 million jobs as companies invent, build and install newer and cheaper pollution control tools and renewable energy.

Rather than discussing ridiculous and already disreputable and refuted claims of cow flatulence and other elements that aren't even considered by the EPA, let's discuss science and the facts.

Republicans have claimed that the EPA has found carbon dioxide to be dangerous, the same gas we exhale. They say, how can carbon dioxide be dangerous? In reality, the endangerment finding was based on sound science and found that as climate change increases, so does ground-level ozone, longer pollen seasons, and more mold allergies. These affect health problems like asthma and heart disease. Once again, Republicans were oversimplifying a serious problem to support their big polluter buddies at the cost of public health.

Science will guide us in the right direction, and science is a blind goddess. It doesn't care what we want science to

say. What matters is what good science done actually says.

The supporters of this legislation want to present a false dichotomy that somehow protecting the environment would hurt job creation. Instead, the exact opposite has been proven to be true.

Since 1970, the economic benefits of the Clean Air Act have been shown to outweigh all costs associated with the law, and the economic benefits of the Clean Air Act are expected to reach nearly \$2 trillion in 2020—exceeding costs by more than 30 to 1.

That's why a number of business organizations representing over 60,000 firms wrote to President Obama and congressional leaders urging them to support the EPA's mission and to reject efforts to block, delay or weaken implementation of the Clean Air Act. In their letters, the groups note that studies consistently show that the economic benefits of implementing the act far exceed the costs of controlling air pollutant emissions.

The EPA's rule is strictly tailored to only the country's biggest power plants and industrial polluters. These safeguards apply to about 700 of the top polluting power plants and oil refineries, facilities that need new permits, anyway, under current law.

It's been proven countless times that we can protect the environment and public health and grow and strengthen our economy at the same time. To say otherwise simply ignores the facts.

Madam Speaker, I want to make sure that no one is misled by the title of the bill we're considering, the Energy Tax Prevention Act. The only amendment that would have actually prevented energy taxes was offered by my friend from Oregon (Mr. BLUMENAUER) and was denied even a floor discussion and debate or a vote under this rule. The only thing this bill is taxing is our patience. As serious issues confront America, including the government shutdown, the majority seems intent on legislating by false bumper-sticker slogans.

Madam Speaker, if we defeat the previous question, I will offer an amendment to the rule to consider Senate bill 388.

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

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

There was no objection.

Mr. POLIS. Madam Speaker, I urge my colleagues to vote "no" and defeat the previous question so we can debate and pass a bill that actually does something useful, ensures Members of Congress don't get paid during a shutdown of government and has a real chance of being enacted into law and signed by President Obama, and I urge a "no" vote on the rule.

[From Nature]

INTO IGNORANCE

VOTE TO OVERTURN AN ASPECT OF CLIMATE SCIENCE MARKS A WORRYING TREND IN US CONGRESS

As Nature went to press, a committee of the US Congress was poised to pass legislation that would overturn a scientific finding on the dangers of global warming. The Republican-sponsored bill is intended to prevent the US Environmental Protection Agency (EPA) from regulating greenhouse-gas emissions, which the agency declared a threat to public welfare in 2009. That assessment serves as the EPA's legal basis for regulation, so repealing the 'endangerment finding' would eliminate its authority over greenhouse gases.

That this finding is scientifically sound had no bearing on the decision to push the legislation, and Republicans on the House of Representatives' energy and commerce committee have made clear their disdain for climate science. At a subcommittee hearing on 14 March, anger and distrust were directed at scientists and respected scientific societies. Misinformation was presented as fact, truth was twisted and nobody showed any inclination to listen to scientists, let alone learn from them. It has been an embarrassing display, not just for the Republican Party but also for Congress and the US citizens it represents.

It is tempting to write all of this off as petty partisanship, a populist knee-jerk reaction to lost jobs and rising energy prices by a well-organized minority of Republican voters. After all, US polling data has consistently shown that, in general, the public accepts climate science. At a hearing last week, even Ed Whitfield (Republican, Kentucky), who chairs the subcommittee, seemed to distance himself from the rhetoric by focusing not on the science but on the economic effects of greenhouse-gas regulation. "One need not be a sceptic of global warming to be a sceptic of the EPA's regulatory agenda," said Whitfield.

"The US Congress has entered the intellectual wilderness."

Perhaps, but the legislation is fundamentally anti-science, just as the rhetoric that supports it is grounded in wilful ignorance. One lawmaker last week described scientists as "elitist" and "arrogant" creatures who hide behind "discredited" institutions. Another propagated the myth that in the 1970s the scientific community warned of an imminent ice age. Melting ice caps on Mars served to counter evidence of anthropogenic warming on Earth, and Antarctica was falsely said to be gaining ice. Several scientists were on hand—at the behest of Democrats on the subcommittee—to answer questions and clear things up, but many lawmakers weren't interested in answers, only in prejudice.

It is hard to escape the conclusion that the US Congress has entered the intellectual wilderness, a sad state of affairs in a country that has led the world in many scientific arenas for so long. Global warming is a thorny problem, and disagreement about how to deal with it is understandable. It is not always clear how to interpret data or address legitimate questions. Nor is the scientific process, or any given scientist, perfect. But to deny that there is reason to be concerned, given the decades of work by countless scientists, is irresponsible.

That this legislation is unlikely to become law doesn't make it any less dangerous. It is the attitude and ideas behind the bill that are troublesome, and they seem to be spreading. Fred Upton, the Michigan Republican who chairs the full energy and commerce committee, once endorsed climate science,

but last month said—after being pinned down by a determined journalist—that he is not convinced that greenhouse-gas emissions contribute to global warming. It was yet another blow to the shrinking minority of moderate centrists in both parties.

One can only assume that Congress will find its way at some point, pressured by voters who expect more from their public servants. In the meantime, as long as it can fend off this and other attacks on the EPA, President Barack Obama's administration should push forward with its entirely reasonable regulatory programme for reducing greenhouse-gas emissions where it can, while looking for ways to work with Congress in other areas. Rising oil prices should increase interest in energy security, a co-benefit of the greenhouse-gas and fuel-efficiency standards for vehicles that were announced by the administration last year. The same advice applies to the rest of the world. Work with the United States where possible, but don't wait for a sudden change of tenor in Washington, DC.

One of the scientists testifying before Whitfield's subcommittee was Christopher Field, director of the Carnegie Institution's global ecology department in Stanford, California. Field generously hoped that his testimony at last week's hearing took place "in the spirit of a genuine dialogue that is in the best interests of the country". Maybe one day that hope will be justified.

[From the New York Times, Apr. 3, 2011]

THE TRUTH, STILL INCONVENIENT

(By Paul Krugman)

So the joke begins like this: An economist, a lawyer and a professor of marketing walk into a room. What's the punch line? They were three of the five "expert witnesses" Republicans called for last week's Congressional hearing on climate science.

But the joke actually ended up being on the Republicans, when one of the two actual scientists they invited to testify went off script.

Prof. Richard Muller of Berkeley, a physicist who has gotten into the climate skeptic game, has been leading the Berkeley Earth Surface Temperature project, an effort partially financed by none other than the Koch foundation. And climate deniers—who claim that researchers at NASA and other groups analyzing climate trends have massaged and distorted the data—had been hoping that the Berkeley project would conclude that global warming is a myth.

Instead, however, Professor Muller reported that his group's preliminary results find a global warming trend "very similar to that reported by the prior groups."

The deniers' response was both predictable and revealing; more on that shortly. But first, let's talk a bit more about that list of witnesses, which raised the same question I and others have had about a number of committee hearings held since the G.O.P. retook control of the House—namely, where do they find these people?

My favorite, still, was Ron Paul's first hearing on monetary policy, in which the lead witness was someone best known for writing a book denouncing Abraham Lincoln as a "horrific tyrant"—and for advocating a new secessionist movement as the appropriate response to the "new American fascialistic state."

The ringers (i.e., nonscientists) at last week's hearing weren't of quite the same caliber, but their prepared testimony still had some memorable moments. One was the lawyer's declaration that the E.P.A. can't declare that greenhouse gas emissions are a health threat, because these emissions have been rising for a century, but public health

has improved over the same period. I am not making this up.

Oh, and the marketing professor, in providing a list of past cases of “analogies to the alarm over dangerous manmade global warming”—presumably intended to show why we should ignore the worriers—included problems such as acid rain and the ozone hole that have been contained precisely thanks to environmental regulation.

But back to Professor Muller. His climate-skeptical credentials are pretty strong: he has denounced both Al Gore and my colleague Tom Friedman as “exaggerators,” and he has participated in a number of attacks on climate research, including the witch hunt over innocuous e-mails from British climate researchers. Not surprisingly, then, climate deniers had high hopes that his new project would support their case.

You can guess what happened when those hopes were dashed.

Just a few weeks ago Anthony Watts, who runs a prominent climate denialist Web site, praised the Berkeley project and piously declared himself “prepared to accept whatever result they produce, even if it proves my premise wrong.” But never mind: once he knew that Professor Muller was going to present those preliminary results, Mr. Watts dismissed the hearing as “post normal science political theater.” And one of the regular contributors on his site dismissed Professor Muller as “a man driven by a very serious agenda.”

Of course, it’s actually the climate deniers who have the agenda, and nobody who’s been following this discussion believed for a moment that they would accept a result confirming global warming. But it’s worth stepping back for a moment and thinking not just about the science here, but about the morality.

For years now, large numbers of prominent scientists have been warning, with increasing urgency, that if we continue with business as usual, the results will be very bad, perhaps catastrophic. They could be wrong. But if you’re going to assert that they are in fact wrong, you have a moral responsibility to approach the topic with high seriousness and an open mind. After all, if the scientists are right, you’ll be doing a great deal of damage.

But what we had, instead of high seriousness, was a farce: a supposedly crucial hearing stacked with people who had no business being there and instant ostracism for a climate skeptic who was actually willing to change his mind in the face of evidence. As I said, no surprise: as Upton Sinclair pointed out long ago, it’s difficult to get a man to understand something when his salary depends on his not understanding it.

But it’s terrifying to realize that this kind of cynical careerism—for that’s what it is—has probably ensured that we won’t do anything about climate change until catastrophe is already upon us.

So on second thought, I was wrong when I said that the joke was on the G.O.P.; actually, the joke is on the human race.

I yield back the balance of my time.
Mr. SESSIONS. I yield myself the balance of my time.

Madam Speaker, I appreciate the gentleman from Colorado for this wonderful discussion and debate that we’ve had here today.

Madam Speaker, the bill we’re discussing today does not weaken the Clean Air Act or the regulation of air pollution. It does not interfere with the EPA’s longstanding authority to protect the environment. In fact, as I stated in the very beginning, it simply

clarifies that the Clean Air Act was never designated, designed or shown to be for regulating greenhouse gas emissions. Thus, we would be removing authority that the EPA has not had, should not have, and would not have because this Congress will not pass what is called cap-and-tax regulations.

By gaining control of government spending and eliminating government regulations, the private sector believes that the Republican Congress can be here for the interests of not only the taxpayer but also to make sure that jobs and investment in this economy in the future are very bright.

I applaud my colleagues for coming down to help debate this bill. I encourage a “yes” vote on the rule.

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

AN AMENDMENT TO H. RES. 203 OFFERED BY
MR. POLIS OF COLORADO

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

SEC. 2. Immediately upon adoption of this resolution it shall be in order to consider in the House the bill (S. 388) to prohibit Members of Congress and the President from receiving pay during Government shutdowns, if called up by the Minority Leader or her designee. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill 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 House Administration; and (2) one motion to recommit.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of S. 388.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

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 opposition, at least for the moment, 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.”

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

In Deschler’s Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

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

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 203, if ordered; and approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 266, nays 158, not voting 8, as follows:

[Roll No. 230]

YEAS—266

Adams	Barton (TX)	Blackburn
Aderholt	Bass (CA)	Bonner
Akin	Bass (NH)	Bono Mack
Alexander	Benishke	Boren
Altmire	Berg	Boustany
Amash	Biggart	Brady (TX)
Austria	Bilbray	Brooks
Bachmann	Bilirakis	Brown (GA)
Bachus	Bishop (GA)	Buchanan
Barletta	Bishop (UT)	Bucshon
Bartlett	Black	Buerkle

Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cansco
Cantor
Capito
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Chu
Clarke (NY)
Clay
Clever
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Conyers
Cravaack
Crawford
Crenshaw
Culberson
Cummings
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Fudge
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)

NAYS—158

Ackerman
Baldwin
Barrow
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Cardoza
Carnahan
Carney
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Davis (CA)
Gonzalez
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Garamendi
Bass (IL)
Green, Al
Green, Gene
Grijalva
Gutierrez

Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Hinchev
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson (IL)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lee (CA)
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Miller (TX)
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Payne
Pearce
Pence
Peterson
Petri
Pitts

Andrews
Baca
Frelinghuysen

NOT VOTING—8

Giffords
Meeks
Olver

□ 1423

Messrs. CRITZ, INSLEE, Ms. MOORE, and Ms. WOOLSEY changed their vote from “yea” to “nay.”

Messrs. CLEAVER, RUSH, WATT, SCOTT of Virginia, JACKSON of Illinois, RICHMOND, CUMMINGS, Ms. CHU, and Ms. BASS of California 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 (Mr. WOMACK). The question is on the resolution.

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

RECORDED VOTE

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

A recorded vote was ordered. The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 250, noes 172, not voting 10, as follows:

[Roll No. 231]

AYES—250

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Cansco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw

Sánchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Owens
Pallone
Pascrell
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth
Critz
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)

NOES—172

Ackerman
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Cantor
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Payne
Pearce
Pence
Peterson
Petri
Pitts
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Hirono
Holt
Honda
Hoyer
Inlee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)

Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Kingston
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Lucas
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowe y
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McColum
McDermott
McGovern
McIntyre
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Schultz
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Wilson (FL)
Scott, David
Serrano
Sewell
Sherman

Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Weiner
Ellison
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth
Courtney
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
DeLauro
Denham
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Doyle
Dreier
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Fattah
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Franks (AZ)
Gallegly
Garamendi
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Harper
Hartzler
Hastings (WA)
Hayworth
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Hinojosa
Holden
Holt
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Kelly
Kildee
Kind

King (IA)
King (NY)
Kingston
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourrette
Latta
Levin
Lewis (CA)
Lipinski
Lowey
Luch
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marino
Markey
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McColum
McHenry
McIntyre
McKeon
McMorris
Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pascrell
Paul
Paulsen
Payne
Pearce
Pence
Petri
Pingree (ME)
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rangel
Rehberg
Reichert
Reyes
Ribble
Richardson
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rusch
Ryan (WI)
Scalise
Schiff
Schilling
Schmidt
Schradler
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Souterland
Speier
Stearns
Stivers
Stutzman
Sullivan
Thompson (PA)
Thornberry
Tiberi
Tierney
Tonko
Tsongas
Turner
Upton
Van Hollen
Velázquez
Walberg
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
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Whitfield
Wilson (FL)
Wilson (SC)
Wittman
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Womack
Woodall
Woolsey
Yoder
Young (IN)

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LoBiondo
Loeb sack
Lofgren, Zoe
Lynch
Maloney
Matsui
McCotter
McDermott
McGovern
McKinley
Moore
Napolitano
Pallone
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Platts
Rahall
Reed
Renacci
Rooney
Ryan (OH)
Sánchez, Linda
T.
Sarbanes
Schakowsky
Schock
Sires
Slaughter
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tipton
Towns
Visclosky
Walden
Weiner
Wu
Young (AK)

Andrews
Baca
Berman
Frelinghuysen
Giffords
Meeks
Murphy (CT)
Olver
Sanchez, Loretta
Young (FL)

NOT VOTING—10

□ 1431

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.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 321, nays 98, answered "present" 1, not voting 12, as follows:

[Roll No. 232]

YEAS—321

Adams
Aderholt
Akin
Alexander
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggart
Billbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Cicilline
Clay
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costello

Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Conyers
Costa
Cravaack
Crowley
Cummings
DeFazio
Dent
Ackerman
Altmire
Baldwin
Bass (CA)
Bishop (NY)
Boswell
Brady (PA)
Burgess
Capuano
Cardoza
Chu

NAYS—98

ANSWERED "PRESENT"—1

Amash
NOT VOTING—12

Andrews
Frelinghuysen
Giffords
Gingrey (GA)
Gohmert
Johnson (GA)
Marchant
Meeks
Olver
Owens
Sanchez, Loretta
Young (FL)

□ 1439

Mr. DOLD changed his vote from "yea" to "nay."

So the Journal was approved. The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. ANDREWS. Mr. Speaker, on rollcall No. 229 on a motion to adjourn, I am not recorded because I was absent. Had I been present, I would have voted "aye."

Mr. Speaker on rollcall No. 230 on ordering the previous question (H.R. 910), I am not recorded because I was absent. Had I been present, I would have voted "nay."

Mr. Speaker on rollcall No. 231 on H. Res. 203, I am not recorded because I was absent. Had I been present, I would have voted, "nay."

Mr. Speaker on rollcall No. 232 on the Journal, I am not recorded because I was absent. Had I been present, I would have voted, "nay."

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the legislation that we are about to take up, H.R. 910, and to insert extraneous material on the bill.

The SPEAKER pro tempore (Mr. NUGENT). Is there objection to the request of the gentleman from Michigan? There was no objection.

ENERGY TAX PREVENTION ACT OF 2011

The SPEAKER pro tempore. Pursuant to House Resolution 203 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 910.

□ 1441

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

Dold
Donnelly (IN)
Duffy
Farr
Filner
Fitzpatrick
Foxy
Frank (MA)
Fudge
Gardner
Garrett