Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (IN)

NOES—185

Andrews
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—20

Clyburn
Cole
Diaz-Balart
Farr
Garcia
Hastings (FL)
Herrera Beutler
Issa
Jones
Kirkpatrick
Lummis
Markey
Miller, Gary
Nugent
Poe (TX)
Rokita
Ros-Lehtinen
Sarbanes
Young (AK)
Young (FL)

□ 1413

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.

NORTHERN ROUTE APPROVAL ACT

GENERAL LEAVE

Mr. DENHAM. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 3.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 228 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. 3.

The Chair appoints the gentleman from Arkansas (Mr. WOMACK) to preside over the Committee of the Whole.

□ 1416

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3) to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes, with Mr. WOMACK in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and shall not exceed 90 minutes equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources.

The gentleman from California (Mr. DENHAM), the gentleman from West Virginia (Mr. RAHALL), the gentleman from Michigan (Mr. UPTON), the gentleman from California (Mr. WAXMAN), the gentleman from Washington (Mr. HASTINGS), and the gentleman from New Jersey (Mr. HOLT) each will control 15 minutes.

The Chair recognizes the gentleman from California (Mr. DENHAM).

Mr. DENHAM. Mr. Chairman, I yield myself such time as I may consume.

I thank the chairman for the time to express my views on H.R. 3, which will generate numerous benefits to the Nation and its economic growth. This pipeline will create American jobs, enhance our energy independence, and strengthen our national security.

I am proud to say that I'm a cosponsor of this legislation because it represents a significant opportunity to create jobs and spur economic growth in our country. Furthermore, this bill will help the Nation become more energy independent.

According to the Department of Energy, the pipeline will transport 830,000 barrels per day of oil from Canada to the gulf coast, totaling nearly half of our current daily imports from the Middle East. This bill makes these numerous project benefits a reality. What this boils down to is breaking through bureaucratic hurdles and making this project a priority.

The southern leg of the Keystone XL pipeline has already been approved, and this bill finishes the job, allowing construction of the northern route of the pipeline to move forward.

This bill also ensures that the environment and its historic resources are protected, through the 5 years of studies that have already been completed on this project. Indeed, this has been the most studied project in our country's history.

It also ensures that the project's routing through Nebraska, the primary objection with the permit when it was denied in 2012, is the route chosen by the people of that State. Simply put, as President Obama said regarding the southern route, this bill ''cuts through the red tape.''

The project is the most extensively studied and vetted pipeline project in the history of this country. Given the nearly 5 years of study and review of the Keystone XL project—with four State Department environmental impact statements and over 15,000 pages of publicly released documents—we know the ins and outs and all about this pipeline.

I believe in an all-of-the-above energy strategy, and this legislation is one piece of that puzzle to break America's dependency on overseas foreign oil.

□ 1420

Finally, it is important to remember that this project will be built with private dollars and create thousands of private sector jobs. This project has passed through all three committees with bipartisan support, and I urge my colleagues to support this critical legislation.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, May 17, 2013.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN SHUSTER, I am writing concerning H.R. 3, the ''Northern Route Approval Act.''

As you know, H.R. 3 contains a section on judicial review, which is within the Committee on the Judiciary's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite the House's consideration of H.R. 3, the Committee on the Judiciary will not assert its jurisdictional claim over this bill by seeking a sequential referral. However, this is conditional on our mutual understanding and agreement that doing so will in no way diminish or alter the jurisdiction of the Committee on the Judiciary with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the CONGRESSIONAL RECORD during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
Washington, DC, May 20, 2013.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 3, the Northern Route Approval Act. I appreciate your willingness to support expediting floor consideration of this legislation.

I acknowledge that by forgoing a sequential referral on this legislation, the Committee on the Judiciary is not diminishing or altering its jurisdiction with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I appreciate your cooperation regarding this legislation and I will include our letters on H.R. 3 in the CONGRESSIONAL RECORD during floor consideration of this bill.

Sincerely,

BILL SHUSTER,
Chairman.

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

Last Congress, I voted for every piece of pro-Keystone pipeline legislation that was brought before this body—every piece of pro-Keystone pipeline legislation. But something has happened along the way between then and now. That something is called a hijacking of this bill by the right wing.

I support the Keystone pipeline project. I believe it will be an important element in our domestic energy infrastructure.

Last Congress, I was pleased to support and vote for Keystone legislation that was considered and passed by the House, including H.R. 1938. However, I am opposed to the pending measure primarily due to section 3 of the bill.

The bill we are considering today is vastly different from H.R. 1938. That was reasonable, responsible legislation. H.R. 3 is absolutely not.

Instead of taking the straightforward approach that H.R. 1938 did, which set a specific deadline for the President to grant or deny a permit for the Keystone pipeline, the pending measure completely eliminates the requirement for a permit. It waives a permit, and it deems a permit application by a foreign company for a major undertaking in the United States to be approved.

As I said, I want to see this pipeline built, but it will not be built under this proposal. Waiving permits? Deeming permit applications approved? For a foreign company? We don't even do that for our domestic companies.

Everybody in this country understands that you need a permit for certain activities. You need a permit to drive. You need a permit to mine coal. You need a permit to build a highway. You need a permit to construct a shopping mall. You even need a permit, a license, to get married.

So what right do the promoters of this bill have to jeopardize this pipeline with such a frivolous proposal? That is exactly what we're doing with this legislation.

Make no mistake about it, this is a bumper sticker bill, ideology driven, born of fancy, not fact. Jobs hang in the balance here, an important supply of energy held hostage. This bill is a mockery.

It boils down to this: right-wing politics trumping what is right, what is correct, and what is just for this pipeline to proceed through the permitting process—to be built, to put people to work.

So let's get serious. Let's dispense with the kindergarten tactics. Too much is on the line here. While the promoters of this bill play politics, I can assure them that this is no laughing matter in the heartland of America.

It is my hope that this bill can be approved during House consideration today and that I will be able to support it by the time we reach final passage. Otherwise, I will vote ''no'' in recognition of what this bill is as currently drafted.

I reserve the balance of my time.

Mr. DENHAM. This is a very serious matter. Thousands of jobs, American jobs, are on the line. Energy independence is on the line. When is enough enough? Five years? six years? ten years? When will we utilize North American oil in North America?

Mr. Chairman, I wish to yield 2 minutes to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Chairman, I rise in support of H.R. 3, the Northern Route Approval Act, which allows construction of the Keystone XL pipeline. I'm happy to say it passed out of full committee in Transportation and Infrastructure on May 16 with a bipartisan vote of 33 to 24.

My good friend from California is right: When is enough time enough?

My good friend from West Virginia asked: What gives us the right? What gives us the right is the Constitution.

The House of Representatives, the Senate, the legislative body, to pass laws, to move things forward, 5 years is way too long. We need to develop the energy in America. We need to bring energy from our good friends from Canada. This all adds to the regulatory burden that this administration has put on us.

This pipeline is the lifeline that powers nearly all of our daily activities.

The hallmark of America's 2.5 million-mile pipeline network continues to be that it delivers extraordinary volumes of product reliably, safely, efficiently, and economically. Pipelines are the safest and most cost-effective means to transport the products that fuel our economy. In fact, pipelines provide more than two-thirds of the energy used in the United States. The Keystone XL project will be a critical addition to this extensive network, increasing our Nation's supply of oil, and thus helping to reduce the cost of fuel used in the transportation sector.

H.R. 3 is a commonsense bill that allows construction, maintenance, and operation of the Keystone XL pipeline to move forward. The pipeline has been subject to extensive environmental reviews already conducted. In fact, it is the most studied pipeline in the history of America.

The bill would require no Presidential permit process for the approval of the pipeline, and therefore avoids further political delays of this project.

Of particular interest to taxpayers, this pipeline doesn't require one Federal dollar.

Further, the very nature of infrastructure creates jobs, and the Keystone is no exception. In fact, the U.S. State Department estimates that Keystone XL will produce 42,000 jobs—jobs that will not be created unless this project goes forward.

The CHAIR. The time of the gentleman has expired.

Mr. DENHAM. I yield the gentleman an additional minute.

Mr. SHUSTER. This project will have a significant positive economic impact, including an estimated $3.3 billion in direct expenditures for construction and materials and $2.1 billion in earnings.

Finally, as noted throughout the process, the Keystone XL will be the safest pipeline ever constructed. Let me repeat that: the safest pipeline ever constructed. It should be approved without further delay.

I urge all of my colleagues to vote for this pipeline to help secure America's energy independence.

Mr. RAHALL. Mr. Chairman, I yield 2 minutes to the ranking member on our Transportation Freight panel, the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I rise in opposition to the Northern Route Approval Act, which would deem the Keystone XL pipeline approved.

The National Oceanic and Atmospheric Administration just measured almost 400 parts per million of atmospheric carbon dioxide, well beyond the 350 parts per million many scientists warn is the level we must not cross to avoid severe climate impacts. Any rational person who doesn't want more Hurricane Sandys or more Oklahoma hurricanes would recognize that we must focus on developing renewable energy sources and reducing our dependence on fossil fuels, and yet this bill mandates the approval of a pipeline that will allow Canada to deliver 830,000 barrels per day of tar sands oil to gulf coast refineries.

Tar sands oil is difficult to extract, and the process is destructive and toxic. Producing tar sands oil results in at least 14 percent more greenhouse gas emissions than conventional oil. For those concerned about climate change, the Keystone pipeline is a nonstarter. We cannot allow such a gigantic and irreversible step backward in the fight against global warming.

H.R. 3 goes well beyond the merits of the pipeline itself. This bill sets a dangerous precedent, undercutting our environmental laws and short-circuiting the review process. It deems the pipeline approved by Congressional mandate. It locks in the administrative

record as of a date certain, eliminates the requirement for a Presidential permit normally required for cross-border pipelines, and it mandates the issuance of permits, not just for construction of the pipeline, but for operation and maintenance as well, or, in other words, in perpetuity. It deems all the environmental and safety laws satisfied regardless of the facts.

It also manages to undermine a citizen's fair access to judicial review. The bill appears to grant the right of judicial review by giving the D.C. Circuit jurisdiction to hear any challenge to the adequacy of the environmental impact statement. But the bill also states that the EIS ''shall be considered to satisfy all requirements'' of the National Environmental Policy Act. So, the court is told, you have jurisdiction, but here is what you are going to find; never mind your own judgment.

The bill also states as a matter of law that section 404 of the Clean Water Act, section 10 of the Rivers and Harbors Act, the Mineral Leasing Act, the Federal Land Policy and Management Act of 1976, the Migratory Bird Treaty Act, and the Endangered Species Act are all satisfied. So the fix is in before you ever get to court. I'm not sure what would be left for a court to review.

□ 1430

Mr. DENHAM. Mr. Chairman, I wish to yield 1 minute to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Thank you to the gentleman from California for yielding.

Many of my colleagues are correct. We do need a permitting process, but this bill is what needs to happen when the permit process breaks down. Keystone is going to create the tens of thousands of jobs that many of us in this Chamber go back to our home districts and talk about being created; but a piece of paper, with the lack of signature, is holding this up. Just this past week, our President stood and said he wanted to make sure that we shortened the time that permits like this take, that we shorten the process so that America can begin to put our trades and labor folks back to work again.

This, Mr. President, is your time in history in which you can sign this permit, create tens of thousands of jobs, and really prove to us that you're serious about reining in this regulatory process.

Mr. RAHALL. Mr. Chairman, I yield 2 minutes to a valued member of our committee, the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ. I thank the ranking member for the time. I also thank him for his longtime commitment to American energy independence.

I, too, share that. I have been the supporter of a bipartisan energy bill that brought environmental groups and The Heritage Foundation together and said maybe we can find some solutions to this. I have been a supporter of this project from the beginning. The problem is, today, this bill has nothing to do with that. It has to do with politics. Today is an example of why this body is less popular than hepatitis amongst the American public. It's not only not going to do anything; it's going to set us back.

Many of us want this project done, but I have to tell you that the worst thing we can do is build this and have a problem with it. We hear about the number of pages of regulations that are there. Maybe we needed a couple more with BP, and we wouldn't have been cleaning up after that mess. You don't have to choose between building it and compromising safety. You do it right if we're going to do it. Unfortunately, that's not what we're doing. You deem it, and you give away those rights.

It's personal for me. I grew up in the Nebraska Sandhills. It was the good people of Nebraska and the Republican Governor who told us to step back, to slow down, and to pick a different route—and finished it in January of this year. So when you hear about all of the process, process gets it right. I have to tell you—and I do agree with my colleague on this—that there are jobs to be created here. We send $1 billion a day for oil to countries that hate us. They'll hate us for free. Keep it here. We don't have to do this. There have also been delays in this project. This bill is a bridge way too far.

Be honest with the people—this is not by building it is going to lower gas prices. It's not the long-term solution to our energy needs. There is no guarantee we'll even get the oil in this country. But we can come together, build a piece of it, and expand our portfolio.

We shouldn't be muddying it up with wedge issues. The last time we had this vote, I voted with it all these times; but one time the political arm of my friends sent a notice out to my hometown newspapers asking why TIM WALZ wants to raise your gas prices and isn't with America. They forgot and got it wrong. I voted with them. That press release today is already written, and they're sending it back. It's not going to do anything except to hurt the American people's faith in our democracy. You're not going to get cheaper gas prices. You're not going to have this thing built overnight; you risk danger.

The American people aren't stupid. Don't treat them that way.

The CHAIR. The time of the gentleman has expired.

Members are reminded to heed the gavel.

Mr. DENHAM. Mr. Chairman, I wish to yield 2 minutes to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. I thank Chairman DENHAM for yielding me this time, and I want to commend Chairman SHUSTER and the gentleman from Nebraska (Mr. TERRY) for bringing this bill to the floor at this time.

This is a very important bill. As Speaker BOEHNER said on the floor yesterday, it would create 20,000 direct jobs and about 100,000 indirect jobs. The State Department estimated 42,100 direct jobs, and these are American jobs. We have millions of people—too many millions—who are unemployed, Mr. Chairman, and many millions more who are underemployed, who are having to work at jobs far below their skills, talents, and abilities. This will create good American jobs. There would be 830,000 barrels of oil a day being piped down. By itself, maybe it wouldn't bring down gas prices, but it certainly would keep OPEC and some of these other foreign energy producers from raising their prices as fast as they surely would like to and have done in the past.

I can tell you that, if we don't pass this bill and similar bills to increase energy production in this country, all we're going to be doing is helping OPEC and other foreign energy producers. It's time we start putting our own people, our own workers first, start putting our own country first again; and we need to pass this bill to help in that process.

Mr. RAHALL. Mr. Chairman, may I have a time check.

The CHAIR. The gentleman from West Virginia has 8 minutes remaining. The gentleman from California has 7¼ minutes remaining.

Mr. RAHALL. I yield 1½ minutes to the gentlelady from New York (Mrs. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. I thank the gentleman for yielding and for his leadership on this and in so many other areas.

I rise in opposition to H.R. 3. It is a very bad deal. It's bad for our environment, our energy policy, American workers, and a bad deal for America in general.

In the way this bill is written, a foreign company pumping a very dirty form of oil all the way across this country would not have to pay a dime into our oil spill liability trust fund the way that American companies have to do. Under this bill, the highly polluting tar sands that the pipeline carries would produce over 40 percent more carbon pollution than conventional oil and would increase America's dependence on one of the single dirtiest petroleum products there is just as the predictions of climate change catastrophes grow more dire each and every day, and that is just not right for America's future.

H.R. 3 leaves Americans with all of the risk of spills, environmental damage, and air and water pollution, but none of the lasting rewards. It's a bad idea and it's bad policy, and I urge my colleagues to vote against it.

Mr. DENHAM. There is a lot of confusion out there, obviously, on this very important issue.

Some would say, Canada oil? We currently bring 590,000 barrels per day from Canada through the current Keystone pipeline. Keystone XL just gives us an opportunity to have another 830,000 barrels.

Some would say, Why are you going to do this as this has never been done before? But my colleague has already voted for a piece of legislation like this dealing with the Alaskan pipeline in which they expedited the NEPA process, and it was affirmed by a voice vote of the entire House. When the project is right to get it done, it's right. These are American jobs that we need.

Mr. Chairman, I wish to yield 1½ minutes to the gentleman from Florida (Mr. RADEL).

Mr. RADEL. Gas and groceries. Ask yourself: Is there anything else that eats more into your budget day in and day out?

When we talk about your family budget, wouldn't it be great if your dollar could go further? Better yet, at least the prices could stay normal instead of changing every week.

Think about it: gas and grocery prices are all over the place. One week, you go pay for your gas and buy your groceries and maybe have some extra money in your pocket for date night on the weekend; but the next week, the prices shoot up, and you barely have enough money to pay for your rent.

But I've got great news—cheaper prices at the pump and a less expensive grocery bill start right here and right now with the approval of the Keystone pipeline.

This issue is really as bipartisan as you can get. Why? Because it means jobs, jobs, jobs. We're not talking Republican or Democrat, red or blue. We are talking about green, meaning more money in your pocket. In that bipartisan spirit, even union members support this pipeline because they know how many jobs will be created. With Republican leadership, we are going to get this done.

Union members, this is about you. This is about your opportunity, your job.

Not only is this about jobs; it's about our national security here in the United States.

Ask yourself: Do you really want to continue sending money to countries that really don't have the best intentions for us in mind, or do you want energy independence, meaning a safe and secure United States for you and your family for generations to come?

Of course, it's more money in your pocket the next time you go to get some gas in your car or buy your groceries. This is about you, your family, your dreams.

Mr. RAHALL. I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I wish to yield 1½ minutes to the gentleman from South Carolina (Mr. RICE).

□ 1440

Mr. RICE of South Carolina. Mr. Chairman, I rise today to express my support for this legislation. American competitiveness is my primary focus. The nameplate on my desk says: jobs, jobs, jobs.

We've created a regulatory morass in this country that stifles progress on all fronts. We've got to get the government off the backs of our job creators.

When I hear that this project has been studied for more than 1,700 days—5 years, that it would create more than 40,000 jobs at a time when jobs are so desperately needed, and that it would drive down the cost of energy and cut our oil imports from OPEC in half, and that the State Department has reviewed it and found that it exhibits no significant environmental hazards, and yet the administration still refuses to issue the permits, I'm appalled.

We can study this project forever, and we will never resolve every possible question. This used to be a can-do country. If the administration will not make a decision, Congress should. Let's stop wringing our hands, approve this project and move forward.

Mr. RAHALL. Mr. Chairman, I'm pleased to yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN), who, like me, is a supporter of the Keystone pipeline.

Mr. GENE GREEN of Texas. Mr. Chairman, I thank our ranking member from the Transportation and Infrastructure Committee for allowing me to speak.

I've been a longtime supporter of the Keystone XL pipeline. I'm frustrated that the pipeline has still not been approved after four favorable environmental impact statements. It's time for the administration to approve the project.

I actually represent the refineries where most of the oil sands product will go. The fact is that these refineries will continue to seek supplies of heavy crude oil whether the Keystone XL pipeline is approved or not. The problem is that if the President does not approve the Keystone pipeline, he will force these facilities to continue to purchase oil from unstable, foreign countries with very few environmental regulations.

I want my Democratic colleagues to understand that even if we made all the investments we want to in alternative energy—and I support that—we still need to rely on oil for the next 25 or 30 years. This number comes from our administration. So if we have to purchase oil from somewhere, doesn't it make sense to purchase it from a province that regulates carbon?

I plan to support the bill this afternoon. But let me be clear about a couple of things: I support the bill because it's a message bill, and it's time for the administration to stop stalling and make a decision.

There are provisions of the bill I don't like. I do not support the precedent and policies laid out in section 4 through section 8. I also don't know why we continue to send bills that don't have a chance in the Senate except to tell them the House again will support the pipeline.

I hope this vote will put this issue behind us because I have 5 refineries in east Harris County that are ready to use that heavier crude because they're importing it from other countries like Venezuela. I would rather import it from Canada, our closest neighbor.

Mr. DENHAM. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma (Mr. MULLIN).

Mr. MULLIN. I rise today as I think of this as a great opportunity for Oklahoma and the rest of the States.

In Oklahoma, we know the value of hard work, dedication to one another and making commonsense decisions when we're given the opportunity.

Common sense tells us that the Keystone pipeline should be approved. However, during my short time in Washington, I've found that common sense is one thing this town lacks.

My congressional district is one of the hardest-working in the Nation. The southern leg of the Keystone pipeline is a significant job creator and economic developer directly to our local communities.

Listen to these figures. The southern leg of the project is bringing in $5 million a month in construction and other expenses, plus 1,000 jobs, into my State alone. Approving the northern leg will bring similar economic benefits to areas along the northern route. Every cup of coffee those workers buy in a small town adds up.

Completion of the pipeline would result in 830,000 barrels of oil a day from Canada and the Bakken oil fields in North Dakota and Montana. These are friendly and reliable North American sources. With the approval and completion of the Keystone pipeline, we will significantly reduce our dependency on crude oil from regions such as the Middle East and Africa.

Pipelines are a proven safe way to transport crude oil.

Our country is at a crossroads. Will we take the path that leads to energy independence, job growth, and prosperity, or will we continue to delay?

The Keystone pipeline is an opportunity for America to lead. The time has come to put the interests of the country first, not the party, and approve the Keystone pipeline.

Mr. RAHALL. Mr. Chairman, I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, how much time is remaining?

The CHAIR. The gentleman from California has 2¾ minutes remaining, and the gentleman from West Virginia has 5 minutes remaining.

Mr. DENHAM. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. Mr. Chairman, 5 years and still no decision.

What does 5 years mean? Well, World War II, where we mobilized America, we went to war, we fought for our liberty and our national security on two fronts, thousands and thousands of Americans worked in our factories, went off to win a war in less than 5 years, but yet we can't get a decision out of the White House for 5 years on this project? Are you kidding me?

If we had to wait for the environmentalists to make up their mind, we

never would have built the Panama Canal.

This pipeline needs to go down to Texas near my district, 20 percent of the Nation's refineries. It's a national security interest.

Some of my friends on the other side have been bad-mouthing Canada. Let me tell you something. If the United States and Canada and Mexico can work together on an energy policy and make a North American energy policy, we can make Middle Eastern politics irrelevant. This pipeline will bring in as much crude oil as we get from Saudi Arabia.

Mr. President, pick a horse and ride it. Sign the deal.

The CHAIR. The Chair reminds Members to address their remarks to the Chair.

Mr. RAHALL. Mr. Chairman, I'm prepared to close, although I do have a couple of Members lurking in the hallway here somewhere threatening to come to speak. So maybe I'll slowly close unless the gentleman from California wants to use his time.

Mr. DENHAM. Mr. Chairman, I'm ready to close as well, and I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

We've had a short debate here, and I'm sure it will continue during the amendment process. My concerns are as I stated in my opening comments. The fact that we are deeming a foreign company the outright right, giving them a permit, without any further requirements or actions needed, is of deep concern to me.

As I said, I have many coal companies that mine in a responsible way in West Virginia. They've gone through the responsible processes of obtaining a permit. Granted, they're having trouble in some areas. At least they know that they have to obtain a permit to mine.

They're not asking to outright be deemed to have a permit without having to show how responsible they are in their operations. But in this legislation, to give a foreign company an outright application, is truly concerning to this particular Member who supports the pipeline project.

We had some discussion in committee last week about what I and others view as preferential treatment for a foreign company, and some on the majority side of the aisle refused to concede that TransCanada is a foreign company or even that Canada is a foreign country. You know what? The last time I checked, you do need a passport to enter Canada.

That's really beside the point, but I did want to raise it since I'm sure it will come up before this debate is concluded.

The point is that this bill waives a permit for such a major undertaking. And these companies that are producing these tar sands in Canada like Exxon, Shell, Valero, CNRL, Conoco for TransCanada, I daresay that they have to obtain a permit from the Canadians to undertake such operations to build this pipeline, and now we're saying they don't have to in our country. For a foreign country, it is troubling that we would grant such a permit outright, to deem that they have met all safety and environmental requirements when we don't even do that for our own domestic companies.

With that, I would urge a ''no'' vote on H.R. 3 today, unless of course during the amendment process my amendment, which is to strike section 3, were to miraculously be adopted by this body. Then, perhaps, I could support the legislation. But other than that, I urge a ''no'' vote on the legislation.

So I yield back the balance of my time.

□ 1450

Mr. DENHAM. Mr. Chairman, I yield myself the balance of my time.

A lot has been talked about here, but let me get back to the facts. This legislation, if passed, would be passed in the same way as in 2004 when the Alaskan natural gas pipeline was passed by the entire body on a voice vote. Members who are complaining about this bill voted for that very same type of legislation. The thing that gets talked about is the pipeline was deemed. That legislation was deemed. The pipeline was deemed to be in the national interest. This is in our national interest—energy independence, American jobs. There is a reason to expedite this, let alone waiting 5 years. We can't afford to wait another 5 years to have an expedited NEPA process like it was that the gentleman had supported in the past.

It has been talked about that this is a Republican bill; it's a Republican end-around. Yet the AFL–CIO is supporting the bill; the National Brotherhood of Teamsters; the International Union of Operating Engineers; the National Electronic Contractors Association; as well as the U.S. Chamber and National Taxpayers Union.

This is about American jobs. Whether you are union or nonunion, whether you're a member of the Chamber of Commerce or not, this is about getting people back to work and being energy independent.

This is a bipartisan bill that simply cuts through the very red tape that the President continues to complain about and helps this Nation realize the benefits of this project, the energy independence of our Nation. Mr. Chairman, I encourage all Members to support this bill.

I yield back the balance of my time.

Mr. UPTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of the Keystone pipeline and in strong support of the Northern Route Approval Act, which will finally make this project a reality for the American people.

There may be a few of my colleagues who are tired of Keystone bills, but the American people are also tired. And they're tired of $3.70 a gallon of gasoline. They're tired of unemployment above 7 percent. They're tired of 4 years of delays that continue to block this critical jobs and energy project. Remember that the President said only last year that he would do ''whatever it takes'' to create U.S. jobs.

Every stated reason for previous delays has now been addressed—most recently, a reroute of a portion of the pipeline through Nebraska. In fact, you can count Nebraska's Governor among the many Americans who want to see the Keystone pipeline built. And while some may try to make this a partisan issue here in the Congress, it is not a partisan issue across the country, with a majority of Americans—Democrats, Republicans, Independents—supporting the pipeline, including a vote last March on the Senate budget.

I give credit to President Obama for saying some of the right things as of late. Just last week during a visit to Baltimore manufacturer Ellicott Dredges, at that factory the President declared:

> One of the problems we've had in the past is that sometimes it takes too long to get projects off the ground. There are these permits and red tape and planning and this and that, and some it's important to do, but we could do it faster.

Those are his words.

Well, guess what, the very day before, the president of that same company was here on Capitol Hill testifying in support of the Keystone pipeline and how it would help his business. The President has it exactly right, and Exhibit A is the Keystone pipeline.

Some are trying to claim this bill is an unprecedented attempt to rush the process. Give me a break. In truth, the only thing that is unprecedented is the lengthy delays we have already encountered for a project that has been the subject of over 15,000 pages of Federal environmental review and, yes, found to be safe.

Congress faced much of the same dilemma 40 years ago when the Federal red tape was holding up a project called the Alaska pipeline. At the time, Congress realized that the bureaucratic process had gotten out of hand and that a pipeline that was clearly in the national interest was being subjected to never-ending delays. But thanks to the bipartisan 1973 Trans-Alaska Pipeline Authorization Act, the red tape was cut, the ground was broken, and the project was built. It became an incredible success story, a game-changer for American energy policy, providing thousands of jobs, billions of barrels of oil while safeguarding Alaska's environment. Guess what, H.R. 3, this bill, takes much of the same approach for the Keystone pipeline.

Unfortunately, while the delays over the Keystone grow longer, so do the excuses. Some argue that Keystone won't create very many jobs and most of them would be temporary. Tell that to the labor unions and the American

workers who are begging for this pipeline to be built. Even the administration's own State Department found that Keystone would support over 40,000 jobs during the pipeline's construction. That's a lot of jobs to me. And the paychecks created by the Keystone pipeline would be paid for by the private sector, not taxpayer dollars.

Some also claim that Keystone won't impact gas prices. Well, the law of supply and demand still stands. Keystone is going to deliver up to a million barrels a day of Canadian oil to American refineries. And remember, already today, we're getting 1.5 million barrels from Canada from the oil sands.

So if the pipeline isn't built, guess what, the oil is going to come by truck or by rail, certainly a riskier form of transport, not nearly as cost efficient as the Keystone pipeline would be. This will be the most technically advanced and safest pipeline ever constructed. It will cost probably $4 million to $5 million a mile, adhering to the new pipeline safety standards that we worked together on on a bipartisan basis, signed by the President last year, adding 57 additional safety standards specific to the project. So for that reason, Mr. Chairman, we need to support the bill.

I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, I yield myself 3 minutes.

Today, the House Republicans are making their fourth attempt in 2 years to grant special treatment to TransCanada's Keystone XL tar sands pipeline. That's what happens when you let the oil companies set the agenda.

Rather than tackling the real problems facing American families, we're passing legislation to exempt a foreign company from the rules that every other company in America has to follow. And, of course, last week we voted for the 37th time to repeal the Affordable Care Act. We're trampling our rule of law to speed Canada's dirty tar sands oil to the gulf, where it can be refined and sent to other countries tax free.

That's great for the tar sands developers and refiners, like the Koch brothers and Valero, but this bill will hurt American families. It won't lower gas prices by a single penny, and it may even raise them. It will lock us into more global warming and risk our farmlands and our water supplies. No wonder Americans are cynical about Congress.

I oppose the Keystone XL tar sands pipeline because it will worsen climate change.

Keystone XL will lock the United States into decades of dependence on dirtier tar sands crude, reversing the carbon pollution reductions we have been working so hard to accomplish. Experts tell us that this Keystone XL will triple production of the tar sands, and that's simply not consistent with any future scenario for avoiding catastrophic climate change. We don't need it. We have our own sources of oil here in the United States, and we're using less oil because of our efficiency in new cars that are getting better mileage.

So I oppose this bill for these reasons; but even if you support the pipeline, you should oppose this bill.

□ 1500

H.R. 3 is an extreme bill. It grants a regulatory earmark to TransCanada, exempting it from all environmental requirements. It's also unnecessary. The State Department is carrying out their review of this highly controversial project.

H.R. 3 would approve the pipeline by fiat, lock out the public, eliminate the President's authority to balance competing interests, and stop Federal agencies from ensuring that, if the project does go forward, we do it as safely as possible.

The Keystone XL tar sands pipeline is a bad deal for America. We get all the risks, while the oil companies reap the rewards.

But even if you support it, this bill is harmful and unnecessary, and I'd urge my colleagues to vote ''no'' on H.R. 3.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, at this point I yield 2½ minutes to the gentleman from Nebraska (Mr. TERRY), the sponsor of the bill.

Mr. TERRY. Mr. Chairman, I rise in support.

Let me quote the President from his speech last week: ''Today, I'm directing agencies across the government to do what it takes to cut timelines for breaking ground on major infrastructure projects in half. And what that will mean is construction workers will get back on the jobs faster. It means more money going back into local economies. And it means more demand for outstanding dredging,'' the particular business that he was visiting that day.

The President's right. But look at the Keystone project that he has purposely denied at one time, and now is delaying ad infinitum.

So the nearly 1,705 days is more than double the time that the traditional transborder pipelines have taken. What this is is a $7 billion privately funded infrastructure project that puts, immediately, 20,000 workers, 2,000 of which come from my State of Nebraska, downstream. With the new expansion of refineries, that could go up to 118,000.

You have to ask, when there's been two other times in history, two of them both supported by the Democrats, sponsored by the Democrats, that were doing the same thing that this bill is, this isn't breaking new ground. These were the Alaska natural gas pipeline and the transatlantic pipeline. Both are doing the same things that are here.

So you have to ask the question, why, Mr. Chairman, has it taken 5 years to get to the point where all of the studies are done and completed, but yet they're still finding ways to delay?

We know what it is. The agenda has been taken over by the left-wing extremists. The NRDC and the extreme environmental groups are dictating the delay here in the hopes of killing it. They have stated that their hope is to kill. That's their number one issue, to kill this pipeline, and then they're going to go after other things after this is done.

So that's what the real agenda is here. So let's stop saying that this is just an extraordinary piece of legislation. This is modeled on past pieces of legislation where delays and bureaucratic morass has delayed them, and it's time, after almost 5 years, to get the Keystone pipeline working and the people working.

Mr. WAXMAN. Mr. Chairman, I'm pleased now to yield 3 minutes to the gentleman from Illinois (Mr. RUSH), our ranking member on the Subcommittee on Energy.

Mr. RUSH. I want to thank the ranking member for yielding.

Mr. Chairman, I strongly disagree with the majority side's process of trying to usurp President Obama's authority by immediately approving the Keystone XL pipeline, even before the State Department of the United States of America completes its due diligence, as our laws require.

Mr. Chairman, this is not an issue about jobs for Americans, but, rather, it is a question of whether this Congress should exempt one foreign company from the laws of America.

This bill is about seizing power from the President of the United States. This bill is about curtailing all Federal and environmental permitting requirements. This bill is about limiting the ability of average U.S. citizens to seek justice through the court system of our Nation.

Mr. Chairman, H.R. 3 will remove the Keystone pipeline out of the jurisdiction of State and local courts and will give only one court, the D.C. Circuit Court of Appeals, exclusive jurisdiction over this project, causing undue hardship on ordinary American families, small businesses, and landowners who may or may not have the resources to retain a D.C. lawyer, to travel to Washington, D.C., in order to have their American legal rights heard by this American justice system.

Mr. Chairman, I sought to amend this atrocious bill. My amendment would have struck section 4, the judicial review clause, so that ordinary American citizens could keep their legal rights intact, but my Republican colleagues wouldn't allow us to vote on that amendment here today in full view of the American people.

Mr. Chairman, as the White House notes in its Statement of Administration Policy, and I quote: ''H.R. 3 conflicts with longstanding executive branch procedures regarding the authority of the President, the Secretaries of State''——

The CHAIR. The time of the gentleman has expired.

Mr. WAXMAN. I yield the gentleman 30 more seconds.

Mr. RUSH.——''the Interior, and the Army, and the EPA Administrator. In addition, this bill is unnecessary because the Department of State is working right now diligently to complete the permit-decision process for the Keystone XL pipeline. The bill prevents the thorough consideration of complex issues that could have serious security, safety, environmental, and other ramifications.''

Mr. Chairman, I share these concerns of the President and, for that reason, I urge all of my colleagues to vote against this egregious bill.

Mr. UPTON. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky (Mr. WHITFIELD), the chairman of the Energy and Power Subcommittee.

Mr. WHITFIELD. Thank you very much for yielding. And I would reiterate, once again, that the application to build the Keystone pipeline was filed on September 19, 2008. Since that time, over 15,500-and-some-odd pages of environmental studies have been conducted.

As a matter of fact, the Secretary of State, who is involved because this pipeline crosses international boundaries between Canada and America—and by the way, if this pipeline was to be built only in America, it would have been approved a long time ago. The only reason it has not been approved is because President Obama has made a decision not to approve it.

Labor unions support it. Every time we've had a hearing, the four international labor union presidents have come and said, We want this pipeline. Not one dime of Federal or taxpayer dollars will be in this pipeline, a $8 billion project, 20,000 jobs.

We have the opportunity to be independent for our energy needs in America. The International Energy Agency said just recently that more oil will be produced in America by 2020 than even in Russia today. And with this pipeline coming in, the additional pipeline oil that will be coming from Canada, we have an opportunity to be independent even more quickly perhaps.

□ 1510

Our friends on the other side of the aisle say, Well, one reason we are opposed to this is because this oil, when it gets to Port Arthur, Texas, will be exported. The head of the Department of Energy's Office of Policy and International Affairs wrote a letter just recently saying that there's no economic incentive for any of this oil to be going anywhere other than in America.

They've also said that it will not reduce gasoline prices. In this same letter, the gentleman says, We expect Midwest gas prices to go down if we build this pipeline.

So the American people support this pipeline. It'll produce jobs, it'll help control gasoline prices, and it won't be exported. I would urge everyone to support this important legislation today and pass the Keystone pipeline legislation.

Mr. WAXMAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentlelady from the State of Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, we are privileged to be Members of the single legislative body in the entire world that has the greatest opportunity to actually address the biggest challenge humankind has ever faced: the warming of our tiny planet and the devastating consequences that will follow.

I'm not asking anyone to agree that humans are the cause. I'm only asking that, regardless of the cause, adding more carbon to the atmosphere does put our lifestyles and, ultimately, the lives of generations at peril. No one will view this notion as radical in the near future, and we will all be judged.

We can choose now to shift toward cleaner fuel sources that will make our country forever energy independent, or we can continue to leave American consumers subject to unpredictable oil prices and severe public health and climate change. Our atmosphere can only absorb about 565 gigatons more of carbon dioxide before global temperatures rise 2 degrees Celsius. If that happens, the planet faces catastrophic consequences. Keystone XL would push us toward that cliff.

TransCanada's application is to run a pipeline filled with the dirtiest oil through the middle of our country, refine it, and then export it on the world OPEC market. Even those who support the pipeline should agree to examine the consequences of its construction. This bill would prevent that from even happening.

I ask my colleagues to take your heads out of the tar sands and let's all work together to collaboratively address the crises that we face. We can meet our energy and environmental challenges together.

Mr. UPTON. Mr. Chair, may I ask how much time we have remaining?

The CHAIR. The gentleman from Michigan has 6 minutes remaining. The gentleman from California has 6½ minutes remaining.

Mr. UPTON. I yield 1 minute to the chairman emeritus of the Energy and Commerce Committee, the gentleman from Texas (Mr. BARTON).

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

Mr. BARTON. Let me say before I rise in support of this particular piece of legislation that if we want to have a debate on global warming, let the record show that the greenhouse gas emissions in the United States are at the lowest level since 1995. That's without cap-and-trade. That's without command and control. It's based on the ingenuity of the American people and the market at work here in the United States.

The Keystone pipeline would simply make it possible to take oil from Canada and transport it down to the gulf coast of the United States to be refined into products that would either be sold in the United States or, in some cases, perhaps exported overseas. It would create tens of thousands of jobs in the construction phase and maintain, and probably increase, the number of jobs in our refinery and petrochemical complex on the gulf coast of the United States.

It's a good piece of legislation. Only in America would this be controversial. It's a win for the Canadians, it's a win for the consumers in America, and it's a win for the workers in America that would be able to do the construction and also work in the refineries in those particular industries.

So I would rise in strong support, and I hope that we support Mr. TERRY's bill and send it to the other body.

Mr. WAXMAN. Mr. Chairman, I am pleased at this time to yield 1½ minutes to my colleague from the State of California (Mrs. CAPPS).

Mrs. CAPPS. I rise in strong opposition to H.R. 3. The Keystone proposal itself is a bad idea. This bill simply makes it worse.

It's no secret that we are dependent on oil and other fossil fuels for our energy needs. But it's also no secret that this dependence is polluting our planet, harming public health, and threatening our national security. But rather than reduce this dependence, H.R. 3 and the Keystone pipeline just make this problem worse.

We have the greatest innovators and entrepreneurs in the world and they're eager to build a sustainable energy future, but they can't do it on their own. Instead of doubling down on fossil fuels, we should be encouraging development of clean, renewable energy resources and technologies. These investments protect our planet for future generations and they improve the health of our friends and our family. And they create permanent, local jobs that can't be shipped overseas.

Finally, there's no denying that construction of this pipeline would create jobs, but they're mostly temporary jobs. And while we're facing estimated job losses of 750,000 due simply to sequestration, creating a few thousand temporary jobs, though helpful, does not constitute the comprehensive jobs legislation our Nation really needs. This Congress needs to take steps to move to a clean energy economy and create millions of permanent jobs right here in the USA that cannot be shipped overseas.

Mr. Chairman, H.R. 3 is a giant step in the wrong direction on both counts. I urge my colleagues to vote ''no.''

Mr. UPTON. Mr. Chair, I yield 1 minute to the gentleman from Georgia, Dr. GINGREY.

Mr. GINGREY of Georgia. Mr. Chairman, it has been 1,706 days since the

Keystone XL application has been submitted to our State Department. Instead of moving towards energy independence and job creation by approving this pipeline, we've learned that this administration has been spending its time wiretapping journalists and targeting conservative groups for their political beliefs.

Within the past 10 days, the Obama administration has spent much more time defending its violations of the First Amendment than seeking to add 830,000 barrels of product per day. The White House seems to care more about their own jobs than the 20,000 direct jobs and 100,000 indirect jobs created by the Keystone XL pipeline. This behavior is simply unacceptable.

Mr. Chairman, it is time that this body take action to bolster our economy, move our Nation towards energy independence—areas where this President has failed miserably.

I urge my colleagues to support H.R. 3.

Mr. WAXMAN. Mr. Chairman, I yield 1 minute to another Member of the House from Georgia, the very distinguished gentleman, a member of our committee, Congressman JOHN BARROW.

Mr. BARROW of Georgia. I thank the gentleman for yielding.

Mr. Chairman, I'm a proud cosponsor of this bill with my colleague from Nebraska (Mr. TERRY). These are the main reasons why:

First, this pipeline will move an estimated 840,000 barrels of oil per day. That's about how much we import every day from Venezuela. Any policy that allows us to bid good riddance to countries like Venezuela is a good policy in my book.

Critics say that it will increase our dependence on oil as our primary source of transportation energy, but we're already totally dependent on oil for our transportation energy. This pipeline will only make us less dependent on hostile rivals and more reliant upon friendly allies for the transportation energy that we need.

Critics say it will increase CO_2 emissions, but this oil is going to be produced and refined and consumed by somebody. The only question is whether we get first dibs on it or whether or not we move to the back of the line behind countries like India and China for our own North American oil.

For all these reasons, I urge my colleagues to support this legislation today and once and for all make the Keystone XL pipeline a reality.

Mr. UPTON. Mr. Chair, I yield 1 minute to the vice chair of the Energy and Power Subcommittee, the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. I want to thank the gentleman from Michigan for yielding. I thank Congressman TERRY from Nebraska for bringing this bill forward.

I rise in strong support of the bill to green-light the Keystone XL pipeline. Look at the facts about what this means to America: 20,000 jobs immediately and energy security. We're going to be getting 830,000 barrels of oil a day from a friend in Canada that we don't have to get from Middle Eastern countries who don't like us.

Of course, what's the answer by President Obama? For 5 years now, he said ''no.'' He said ''no'' to American jobs and he said ''no'' to American energy security just because some radical environmental extremists have told him that they don't want this. But even the labor unions say they want this.

□ 1520

Of course, who's to benefit by the United States not doing the Keystone XL pipeline? China. China wants those jobs. And if President Obama gets his way, China will get those jobs. We don't want China to get those jobs. We want America to get the 20,000 jobs and the $7 billion of private investment.

How can this happen? With the stroke of a pen. Today, President Obama can approve the Keystone pipeline, but he won't. So if he won't, then here Congress is taking action to get those 20,000 jobs. Instead, we ought to approve this bill and get the Keystone XL pipeline built.

Mr. WAXMAN. Mr. Chairman, I now yield 2 minutes to our colleague from New York (Mr. TONKO), the ranking member of one of our Energy Subcommittees.

Mr. TONKO. I thank the gentleman from California.

Mr. Chairman, we are once again debating a bill that, thankfully, will go no further than this House.

Even if you support the pipeline, this bill is the wrong approach to build it. This bill elevates the financial needs of tar sands developers and the pipeline's builder above the needs and concerns of the citizens who live along the pipeline's path.

I regret that my amendment on pipeline safety was not made in order. We now have ample evidence from the disastrous spills in Kalamazoo, Michigan, and Mayflower, Arkansas, that concern about pipeline safety is well justified.

Cleaning up a spill is an expensive and difficult task. Three years after the spill in Kalamazoo, the oil is still not cleaned up. Families evacuated from their homes in Mayflower are still living in temporary housing. The spill is not just messy; it is dangerous. The fumes, liquids, and the solids are a toxic brew. The resources damaged by these spills will take years—probably decades—to restore.

Congress recognized the unique nature of diluted bitumen and asked the National Academy of Sciences to examine questions related to its safe transport and to assess the adequacy of current pipeline safety regulations. This information would be valuable, especially in light of these recent spills; but we are not waiting for it. And if the proponents have their way, we will have no opportunity to act on any recommendations that NAS may provide.

This bill promotes reckless development of a pipeline that provides little public benefits to our citizens while increasing the risk to their communities, their property, and to our natural resources. We should not bypass our laws and the administration's process for evaluating this project.

With that, I urge my colleagues to reject H.R. 3.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. OLSON), a member of the Energy and Power Subcommittee.

Mr. OLSON. I thank the chair of the Energy and Commerce Committee, and I rise today in strong support of H.R. 3, which would approve the Keystone XL pipeline.

The Keystone XL pipeline has been studied ad nauseam. It's now been 1,706 days since the application to build the Keystone XL pipeline was submitted to the Obama administration.

The Keystone XL pipeline is nearly 1,200 miles long. At the average speed a human being could walk—three miles an hour—it would take 393 hours to walk the pipeline's route. That means you could walk through the entire pipeline route round trip about 53 times in the days since the application was submitted for approval. At least walking would be some sort of action.

America needs action. America needs 20,000 jobs. America needs 800,000 barrels a day coming from Canada. America needs national security that comes from energy security. America needs the Keystone XL pipeline. Let's pass this bill now.

Mr. WAXMAN. Mr. Chairman, I continue to reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. GARDNER), a member of the Energy and Power Subcommittee.

Mr. GARDNER. I thank the chairman for yielding time and leading this great debate.

You know, we've heard a lot of talk today about job creation, about the number of jobs that would be created by the Keystone pipeline.

As somebody who actually lives above the Ogallala Aquifer, I hate to break it to people in this Chamber who apparently don't believe it, but we actually have pipelines already above the Ogallala Aquifer.

We have jobs being created right now because of energy opportunity in the United States and Canada. The fact that we can create 20,000 jobs is a good thing, the fact that the National Federation of Independent Businesses support this pipeline; The U.S. Chamber of Commerce, manufacturers, the labor unions support the construction of this pipeline.

It saddens me to think that this debate has come down to a debate over job snobs, people who believe that these aren't the kinds of jobs that we want, the kind of people that we want working on these jobs. It's not about whether this is a pipeline that is good

or bad for the environment. It's people who believe that these aren't the kinds of jobs that we want in this country. I think it's a shame that we're having that debate on the House floor right now.

These jobs are good enough for America. These are the kinds of jobs that we want—high-paying jobs to put people to work, to feed families, to present opportunities for the American people in a country that has seen unemployment far too high for far too long.

It's time the hijacking of this agenda ends. Let's develop our own energy in North America.

Mr. WAXMAN. Mr. Chairman, may I inquire as to how many speakers there are on the other side.

Mr. UPTON. Mr. Chairman, may I inquire as to how much time we have left on our side.

The CHAIR. The gentleman from Michigan has 1 minute remaining. The gentleman from California has 2 minutes remaining.

Mr. UPTON. We have two speakers—unless you'd like to yield some of your time to us. We still have two speakers. Do you just have one speaker left? Why don't you do one speaker, then we'll do one—one-one-one, and finish up.

Mr. WAXMAN. I reserve the balance of my time.

Mr. UPTON. I yield 30 seconds to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Chairman, I rise in strong support of H.R. 3.

Construction of the Keystone XL pipeline is a significant element of America's all-of-the-above energy policy that will help lower energy costs, create jobs, and reduce our dependence on dangerous sources of foreign oil. It's supported by business and labor alike.

Mr. WAXMAN. Mr. Chairman, I yield myself the balance of my time.

Killer tornadoes in Oklahoma, Hurricane Sandy in New York and the Northeast, droughts in the southwest part of this country, record heat waves are now the new normal. We've seen floods; we've seen wildfires. Haven't you noticed that we've been experiencing a change in the climate? And it hasn't been good.

We don't know if all of this is because of greenhouse gases. We do know enough, however, that we don't want tar sands oil to take a chance with the only planet we live in.

We want jobs. Of course we want jobs. And we don't say jobs are not good enough if they're working in the pipeline construction. But we also want to protect this country and this planet; it's the only one we have.

The tar sands are the dirtiest oil we can possibly get. We don't need it. We shouldn't go after it and put ourselves at a greater dependence on a source that will pollute this planet with more greenhouse gases, more carbon emissions, and more climate change. That will not be something we can look at with pride.

I urge my colleagues to vote against this bill.

I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I yield the balance of my time to the gentleman from Ohio (Mr. JOHNSON).

The CHAIR. The gentleman from Ohio is recognized for 45 seconds.

Mr. JOHNSON of Illinois. I thank the chairman for yielding.

It's coincidental that here we are talking about the environmental concerns that have been overexaggerated about the Keystone XL pipeline.

I stand in strong support of H.R. 3. The President himself has acknowledged that the environmental concerns have been overexaggerated. This is the right thing to do for America. This is a job-creating opportunity. This is an opportunity to take energy resources from a friendly ally in Canada, use it here in America, or make sure that it goes to our friends and our allies rather than our competitors, like the Chinese.

Mr. Chairman, H.R. 3 is an important step forward in bringing energy independence and security to America, and I urge my colleagues to support it.

□ 1530

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I rise in support of H.R. 3, the Northern Route Approval Act. This important legislation would remove roadblocks to allow for the approval and construction of the Keystone XL pipeline—a project that is vital to America's energy future.

The Keystone XL pipeline has been tied up in red tape by the Obama administration for nearly 5 years. Just over 1,700 days ago, the application to build this important energy project was submitted to the State Department, and for 1,700 days the American people have been waiting for the Obama administration to stop leading from behind.

This bill will create tens of thousands of American jobs, it will lower energy prices, the building of it will invest billions of dollars into our economy, and it will make America more energy secure. The Keystone XL pipeline will transport over 800,000 barrels of oil per day from Alberta, Canada, down to American refineries in the Gulf of Mexico. That's half the amount that the U.S. imports from the Middle East.

This bill was approved by the Natural Resources Committee with bipartisan support. The provisions under our jurisdiction will help ensure that the construction of this pipeline takes place in a timely manner without threat of lawsuit or unnecessary delay by the Secretary of the Interior.

This important project has gone through extensive environmental reviews, including two separate EIS's and over 15,000 pages of NEPA reviews. President Obama's own State Department has stated that this project will have no significant impacts on the environment. There is no credible reason for the President to continue holding up this project.

That is why this project enjoys bipartisan support in both the House and the Senate. This is not a Democrat issue; this is not a Republican issue. Energy security and job creation is an American issue. This administration is the only roadblock that's standing in the way of American jobs, lower energy prices, and increased American energy security.

The Northern Route Approval Act makes the Keystone XL pipeline a reality. It declares that no Presidential permit shall be required to approve this pipeline and prevents the Obama administration from imposing further delays.

I urge my colleagues, Mr. Chairman, to support this important legislation, and I reserve the balance of my time.

Mr. HOLT. Mr. Chairman, I yield myself such time as I may consume.

Let me begin where the gentleman from California (Mr. WAXMAN) completed his remarks.

We are experiencing climate change. It is very expensive in lives and dollars. It is the result of the way we produce and use energy. We must make these points clear. What we are talking about with this legislation is going further down this dangerous, deadly road.

Now, beyond that, this legislation we are considering today represents a complete disregard of the effect of tar sands oil on our environment and our economy. This bill would ask the United States to bear all of the environmental risk without any appreciable rewards.

Less than 2 months ago, in Mayflower, Arkansas—a typical American small town—the 2,234 residents of that Arkansas River town learned what we mean by ''risk'' from an oil pipeline. As much as 7,000 barrels of oil spilled into neighboring communities and the environment.

This oil was tar sands oil. This pipeline was part of this Canadian pipeline system that we are talking about today. But rather than ensuring that, if we're going to build the Keystone pipeline to transport this dirty, particularly dirty, oil across the United States, that we first ensure that we have proper protections for our environment, this bill would take us in completely the opposite direction, while doing nothing to ensure that Keystone oil would enhance our energy security. There's nothing whatsoever in this bill to require that the Keystone oil actually stay in the United States.

The jobs that will be created by this, according to the Environmental Impact Statement prepared by the U.S. State Department, the jobs that would be created over the long term number in the few dozen—like 35—not in the thousands. Yes, there will be some construction jobs—and I want to assure our working Americans that we want jobs for them—but we want sustainable jobs that come from clean energy. They are available—they are available today—if we would stop going down this mistaken road.

The proposed pipeline would transport tar sands oil from Canada through the United States to free trade zones in Texas for export. All risk, no reward. We are just a bypass. This is not oil that's coming to improve the lives of Americans, to give us energy to power our cars or our industries. No. This is just passing through us, with the risk of a spill, with the problems to the environment that might result. It ignores the lessons of the recent Exxon pipeline spill in Arkansas and the tar sands spill in Michigan. It does nothing to close a loophole that currently allows tar sands oil to avoid paying taxes into the oil spill cleanup fund—that's right—because this bitumen, this product that comes out of the tar sands, is defined as ''not oil'' for the purposes of paying into the oil spill liability trust fund. So, it gets a free ride through the United States on its way to foreign countries.

If we're going to consider this bill, at least let's use it as an opportunity to close the tar sands loophole and ensure that when the oil spills occur—I'll grant to the other side that this may be a safe pipeline, but there is no such thing as a perfectly safe pipeline—and when the oil spills occur, let's have the money there to clean it up.

This bill goes on to declare that a Presidential permit is not required for a trans-border project and that all requirements of the National Environmental Policy Act, the National Historic Preservation Act, the Endangered Species Act, and the Migratory Bird Treaty would be deemed to have been satisfied, even if they haven't been satisfied.

This is a bad deal for our country. This legislation does nothing to guarantee our energy security. All risk, no reward.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 3 minutes to the chairman of the subcommittee dealing with this legislation, the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. I thank the chairman for yielding.

Mr. Chairman, I rise in strong support of this legislation. From day one, the Obama administration has inexplicably put up roadblock after roadblock to prevent the construction of the Keystone pipeline, a pipeline that would create tens of thousands of American jobs and securely bring 800,000 barrels of oil a day to American consumers. These numbers are according to the administration's own Departments of Energy and State. This project also would lead to billions of dollars of investment into the U.S. economy.

Besides obstructing the construction of the northern portion of the pipeline, President Obama had no shame in taking credit for construction of the southern section of the pipeline, which did not require his approval. Sadly, Canadian Prime Minister Stephen Harper has announced that due to delays by the Obama administration, Canada has no choice but to consider alternative options for bringing its oil to market, including constructing a pipeline from Alberta to the Pacific coast for export to China. If we don't take advantage of this opportunity, somebody else will—probably China.

After four Environmental Impact Statements, all of which have concluded that there will be minimal environmental impacts, the administration continues to stall construction of the pipeline.

□ 1540

It would lessen our dependence on foreign oil from dangerous parts of the world by integrating our friendly northern neighbor into our energy economy. With each day that passes, we slowly lose one of the best opportunities this country has had in a generation to secure our energy independence. Since the President refuses to act, Congress will. The Northern Route Approval Act removes the President's veto and will ensure that, after years of extensive studies, construction of the pipeline can move forward so America can begin to benefit from this tremendous opportunity.

I urge the adoption of the act.

Mr. HOLT. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO), a senior member of the committee and one who understands that this pipeline does not help our energy security and puts our environment at risk.

Mr. DEFAZIO. I thank the gentleman for yielding.

Repetition has become sort of the cause celebre here in the House of Representatives. Last week, we totally repealed ObamaCare for the fourth time, and 33 other times we partially repealed it. Of course, none of those things have come true or have happened.

This will be the seventh attempt by the House of Representatives to expedite—in this case, they've gone one step further—or to mandate the building of the XL pipeline. That's right, mandate. We're going to deem that an Environmental Impact Statement done on a very different route is good for this pipeline. Now, if you follow that logic, we could just have one generic Environmental Impact Statement for any project anywhere in the United States of America, and Congress could just deem it to have met the law and the environmental requirements. That's incredible to go that much further in this political dealing here.

Now, what's going to happen?

The Canadians, sadly, apparently, are going to destroy their boreal forests, which are irreplaceable, to extract one of the dirtiest fossil fuels. They're then going to ship this tar sands oil through a pipeline crossing the United States of America, which, as the gentleman said, will be exempt from the excise tax that all other oil companies and pipeline companies pay—American companies and some foreign companies, but everybody else pays it. They will be exempt. They will not contribute to the oil spill liability trust fund. It's going to go to a refinery located in a foreign trade zone that is not paying export taxes, and that refinery is half owned by the Saudis.

And this is going to give us energy independence and lower prices. I mean, is it April Fool's Day? Really? Come on.

This is not going to give any American a single penny off per gallon at the pump. Right now, we are in the annual traditional Memorial Day price gouging by the oil industry. It just happens magically every May that they're up to do a little periodic maintenance or unexpected maintenance on their plants. Gasoline has gone up 50 cents a gallon on the west coast in the last 3 weeks. This is not a free market. It is a manipulated market. We pay the so-called ''world price.'' So even if this refinery does produce—and it will export—this product, it's not going to lower the world price because the Saudis over the last couple of years have tracked our increased oil production with decreases in their oil production to keep the prices high.

There are things we could do to bring real relief to American consumers—get the speculators out of the market and a number of other things—that would provide more immediate relief. This will not provide relief. It will not be a boost for our economy. Yes, there are temporary construction jobs, but guess what? We could create a heck of a lot more construction jobs in this country if we met our obligations to better fund the Surface Transportation Trust Fund and began to deal with the crumbling infrastructure in America. Those would be real jobs that would really benefit this country.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 1 minute to a member of the Natural Resources Committee and a subcommittee chairman, the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Chairman, ever since the Arab oil embargoes of the 1970s that ravaged our economy and produced mile-long lines around gas stations, an avowed goal of our Nation has been to reduce our reliance on Middle Eastern oil.

In addition to the thousands of jobs and billions of dollars of economic activity, the Keystone pipeline will bring up to 830,000 barrels of Canadian crude oil a day into the American market—about half of what we currently import from the Middle East. Now, that bears repeating. The Keystone pipeline could cut our reliance on Middle Eastern oil by half all by itself. The left makes much of the fact that our markets are international and that some of that oil might enter that market. Well, that's possible, but I think it is far more likely that it will push Middle Eastern oil out of the American market.

The fine point is this: In the next international crisis, would you rather rely on Canada or Iraq to meet our petroleum needs?

Mr. HOLT. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. HUFFMAN), who understands that oil passing through this country on the way to other countries does not improve our energy independence.

Mr. HUFFMAN. I thank the gentleman.

What a wonderful bill if you happen to be the Canadian oil company that reaps all the benefits, but it comes at the expense of the American economy and the global environment. We should reject this bill out of hand.

This sweetheart deal approves the northern route of the Keystone XL pipeline and exempts it from the rigorous public analysis and scientific standards that American companies are held to, including the National Environmental Policy Act, the Clean Water Act, and the Migratory Bird Treaty Act, among others. Bear in mind that tar sands oil is already exempt from paying into the trust fund that covers oil spill cleanup.

So with this bill, my colleagues are saying we should have no front-end environmental protection for this project and no backstop funding for when things go wrong—and things will go wrong. You just have to look at what happened at the Mayflower, Arkansas, spill a month ago. When that happens, American taxpayers are going to be on the hook for cleanup, and where is the offset for that? Meanwhile, TransCanada, the Canadian corporation proposing to build this pipeline, is on record before the Canadian energy board as saying that this project will increase the price of oil in the United States.

So let's be very clear about what we are doing. This House is considering a bill to cut corners for a foreign corporation to transport dirty fuel and raise gas prices for Americans. Why would we spend our time on this? Well, we're told it's about jobs, but the fact is we don't even know how many jobs this pipeline project will create. The estimates are all over the map. You could believe Fox News, which says it will create a million jobs, or TransCanada, which says around 13,000 construction jobs, or the State Department, which says it will directly create fewer than 4,000 jobs, and fewer than three dozen of those will be permanent jobs.

We don't even know the massive security risks and security costs that this project will foist upon the American taxpayers. At a minimum, we should approve the Connolly amendment to, at the very least, generate a threat assessment if this bill is to move forward.

This bill, colleagues, is a betrayal of our priorities as Members of the United States Congress.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 1 minute to another member of the Natural Resources Committee, somebody who understands the oil industry well, the gentleman from Oklahoma (Mr. MULLIN).

Mr. MULLIN. I rise today as a proud Oklahoman, calling for this body to act on a commonsense bill that will put this country on the path to energy independence.

The Keystone XL pipeline's southern route, which runs directly through my congressional district, is already creating good-paying jobs back in Oklahoma. I have seen with my own eyes how it is putting millions of dollars directly into the economies of small towns in my district.

Mr. Chairman, this is a time for Congress to act. This project has been delayed long enough. We have studied the environmental impact of Keystone over and over again. We know that we can safely transport crude oil from our friends in Canada and sources in the U.S. to our refineries along the gulf coast. EPA's latest opposition to the State Department's recent environmental impact review of this project is more of the same from this administration, which continues to claim it supports an all-of-the-above approach but fails to follow through when it's time to act.

Let's put our country on the path to energy independence and off foreign oil from those countries that do not have our best interests in mind. I urge my fellow Members to do what is right, not for the party, but for this country and to vote for H.R. 3.

□ 1550

Mr. HOLT. Mr. Chairman, I'm pleased to yield 1½ minutes to the gentleman from Florida (Mr. GRAYSON).

Mr. GRAYSON. Mr. Chairman, I urge the Republicans on the other side of the aisle to stop faking it. We have a bill here that deems this, deems that, and deems the other thing.

This is a bill that deems that the Environmental Impact Statement required by the National Environmental Policy Act is deemed approved. It's not.

This is a bill that says that the requirements of the Endangered Species Act are deemed satisfied and opinion deemed issued. They're not.

This is a bill that says that the required right-of-way and temporary use permit under the Mineral Leasing Act is deemed issued. Not.

This is a bill that says that the requirements of the Water Pollution Control Act and the Migratory Bird Treaty Act are deemed approved and issued. Not.

Why are we doing this? While we're at it, why don't we deem a balanced budget? Why don't we deem full employment? Why don't we deem world peace?

It's farcical. It's a violation of the separation of powers under the Constitution. It's not our job to deem things. It's our job to pass laws of general application, not favors to foreign oil companies.

The CHAIR. The time of the gentleman has expired.

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

Mr. GRAYSON. And having been lectured endlessly by the other side about the profundity of earmarks, we come across a bill here where, in fact, it's an earmark for a foreign oil corporation. We are issuing to a foreign oil corporation a right-of-way that's valued at millions and millions of dollars when the other side tells us they're not in favor of earmarks.

Stop the hypocrisy.

Mr. HASTINGS of Washington. Mr. Chairman, I'm very pleased to yield 1 minute to the gentleman from Montana, another member of the Natural Resources Committee, Mr. DAINES.

Mr. DAINES. Mr. Chairman, it took Canada just 7 months to approve the Keystone XL pipeline; meanwhile, Americans have been waiting 4½ years for President Obama to act.

Montanans understand how important this project is for our economy and for our energy future.

In eastern Montana, we've seen the tremendous potential for jobs and economic growth that comes with oil production in the Bakken field. In fact, this pipeline will transport up to 100,000 barrels per day of Bakken oil—that is Montana and North Dakota oil—through a connecting on-ramp in Baker, Montana. And in Glasgow, Montana, the NorVal Electric Co-op is slated to supply electricity to one of the Keystone XL pump stations.

Let me tell you what this means to middle class, hardworking Americans. If this pipeline is built, this rural electric co-op will be able to spread their cost burdens with the pipeline and, consequently, hold rates steady for their 3,000 customers. But if the pipeline is not approved, NorVal customers will see upwards of a 40 percent increase in their utility rates over the next 10 years.

Mr. Chairman, if the President isn't willing to listen to the voice of the people, the House will. It's time to build the Keystone XL pipeline.

Mr. HOLT. Mr. Chairman, may I ask the time remaining?

The CHAIR. The gentleman from New Jersey has 3¼ minutes remaining, and the gentleman from Washington has 7½ minutes remaining.

Mr. HOLT. Mr. Chairman, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I'm very pleased to yield 1 minute to the gentleman from Virginia (Mr. HURT).

Mr. HURT. Mr. Chairman, I rise today in support of the Northern Route Approval Act, another House initiative to pave the way for construction of the Keystone pipeline. I support this measure because approval of the pipeline will lead to lower fuel prices and it will create jobs.

As I've traveled my rural Virginia Fifth District, I have spoken to our

small business owners, our small farmers, our volunteers, our students, and our parents, and there can be no question that the energy policies coming out of Washington under this President are hurting our local communities. That is why the immediate approval of the Keystone pipeline is so important, because it will reduce our dependence on foreign dictators, it will give us affordable energy, and it will create the jobs that we desperately need.

After 4 long years, this bipartisan plan to create jobs and lower fuel prices should wait no longer. It is high time for the President to heed the wishes of the American people. Stop the excuses and approve the Keystone pipeline.

Mr. HOLT. Mr. Chairman, I continue to reserve the balance of my time until the other side is ready to close.

Mr. HASTINGS of Washington. Mr. Chairman, if I may inquire, did I hear that my friend from New Jersey has only one speaker left?

Mr. HOLT. Yes, I believe that is correct, Mr. Chairman.

Mr. HASTINGS of Washington. I hope that belief is true, then. You're waiting, I guess.

So if the gentleman is prepared to close, I reserve the balance of my time, as I have one more speaker left.

Mr. HOLT. Mr. Chairman, I yield myself the remaining time.

As we've heard, this is a bill that gives a Canadian company a sweetheart deal. It deems that all the conditions have been met, even if they haven't been. It takes a very dirty product, ships it through the United States, where we bear the risk of an oil spill. It's shipped to other countries. The U.S. consumer, the U.S. businessperson, the U.S. economy derives little to no benefit from this. All risk, no reward.

The TransCanada Keystone pipeline, the existing part of it, which would be connected to this proposed pipeline, experienced 12 separate oil spills in 2010. In the United States, there are typically more than 3 million gallons spilled from pipelines, so don't tell me that this is without risk.

As for helping the economy, we would like to have good, long-lasting jobs for Americans. This is not the way to do it. It does not do it. The long-lasting jobs number in the dozens, not the thousands.

So this very dirty oil will not increase U.S. energy security. It certainly will not lower energy prices, which are determined on the world market and through various manipulations here.

This clearly is not in the interest of the American consumer or American business. There's nothing in this bill to require that oil from this pipeline stay in the United States. There's nothing to close the tax loophole that allows tar sands oil to avoid paying for oil cleanup. In fact, I note with some irony here that some members of the majority who have spoken today in favor of this legislation to expedite the pipeline construction have asked the chairman of the Ways and Means Committee to fix this oil spill liability trust fund loophole, in other words, to see that this is not exempt from paying into the oil spill trust fund. But the irony is they don't want to fix it now; they want to fix it sometime in the future in an as-of-yet imaginative or conjectural tax reform.

If they really wanted to fix it, this would be the time to do it, rather than to take a bill and ask for streamlined, no-questions-asked approval: take the executive branch out of the decision, give the sweetheart deal to the Canadian company, and close the books. We would regret it if that happened.

With that, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR (Mr. HOLDING). The gentleman from Washington has 6½ minutes remaining.

Mr. HASTINGS of Washington. I'm very pleased to yield the balance of my time to the majority whip, the gentleman from California (Mr. MCCARTHY).

□ 1600

Mr. MCCARTHY of California. Mr. Chairman, I rise today in support of this bill. Now, if you're like me and you go across the country, you want to listen to the American people. The two things they talk about when you tell them you're a Member of Congress, the first thing is: Where are the jobs? The second thing they say: Why can't you work together? Why can't you solve this problem together?

It's not often that we get to mesh those two together on the exact same day. But, you know, today is that opportunity.

Last week, I watched our President of the United States go to a small business. I love it when he goes to a small business. I was a small business owner. He went to a small business to talk about job creation. He wants to move America forward. And I'll be frank, lots of time my philosophy isn't the same as the President, but I want to work together, especially when we agree. So I listened to his words and I listened to him closely because he talked about what was holding back job creation in America. The President said:

> One of the problems we've had in the past is that sometimes it takes too long to get projects off the ground. There are all these permits and red tape and planning, and this and that, and some of it's important to do, but we could do it faster.

You know what? I agreed with those words of President Obama. And I looked for what could make that change. And you know when he spoke at that small business, it just so happened that the CEO of that small business was there with him. But you know where he was 24 hours before? He was right here in Congress. He was here testifying, as that small business, about what could get America moving. You know what he talked about? Build the Keystone pipeline. Build it.

So when the President said that sometimes projects take too long to get off the ground, I think he was referring to if it was more than 1,700 days, that was too long. So when the President said that there's too much red tape, some is important, but we could do faster, I think the President probably meant that 15,000 pages of review that we've done for Keystone is probably too much.

So there's a unique ability that, yes, we can move something that can create 20,000 jobs in America today. You know what? We could be less reliant on the Middle East for our energy as well.

But you know what is more important when we listen to the American people and they ask, Why can't we do this in a bipartisan manner? You know what? It will come off this floor in a bipartisan vote. But you question, can it come off the Senate? Well, you know what? A majority of the Senators have voted for it, 17 Democrats on the other side as well.

So I stand today as the majority whip saying I agreed with President Obama's words. The only thing that is missing is the action. Today we will do our job. We'll send it to the Senate, and it will be the start of a new beginning, to put people before politics and jobs and bipartisanship forward, and I look forward to the opportunity to do it.

Mr. HASTINGS of Washington. Mr. Chairman, I yield back the balance of my time.

Mr. CONYERS. Mr. Chair, I rise today to oppose H.R. 3, which is quite simply a waste of this chamber's time. Like the 37th vote to repeal the Affordable Care Act last week, we are again wasting Americans' time and money doing the bidding of corrupt, private industry—selling jobs that will never materialize, while exposing American land, air, and water to dangerous pollution.

I understand my friends across the aisle have water—or oil—to carry for the energy industry, but this bill is not going to bring the environmentally damaging pipeline they support to fruition. Regardless of the outcome of this vote, the decision to approve or reject the Keystone XL pipeline will rest with the president.

Unfortunately for my friends across the aisle, President Barack Obama knows the dangers of not going far enough or fast enough to stop the climate crisis. History will celebrate his decision to lead us toward a clean energy economy that solves climate change and creates long-term, sustainable jobs for Americans. We understand then, that achieving this awesome goal requires that the United States reject the TransCanada Corp.'s proposal to build the Keystone XL pipeline, which would cut through the heartland of America.

Returning our economy to stable growth requires Americans to move forward toward the future, not back toward the past. We must put Americans to work building, implementing and maintaining a clean energy infrastructure that

will power the economy of tomorrow. The Keystone pipeline is dirty energy infrastructure, reflecting a generations-old approach to energy and environmental questions.

TransCanada Corp. is a Canadian company that wants the Obama administration to provide it with a permit to build the pipeline, which would run oil from Canadian tar sands all the way through our country to the Texas Gulf Coast. According to the Natural Resources Defense Council, tar sands oil is an environmental catastrophe—creating three to five times the global warming pollution of traditional oil.

After refining the oil here in the United States, TransCanada plans to export this oil for sale to other countries, enriching Canadians and oil companies but doing little or nothing to decrease America's dependence on foreign oil. In the meantime we get to store dirty energy waste products like petroleum coke in our neighborhoods while we wait for billionaires like the Koch brothers to ship the global-warming byproduct overseas to China.

Common sense demands that the president reject this pipeline. Most Americans want our country to be investing in energy solutions for the future—not outdated, polluting infrastructure that will do nothing to solve our energy problems.

According to the State Department, the total number of jobs projected to result from Keystone is 3,900 direct temporary construction jobs over a one- to two-year period, but only 35 permanent and 15 temporary jobs will remain after those two years of construction.

Those who are making the case for the pipeline—TransCanada, oil lobbyists and special interest advocacy groups funded by the oil lobby—are spreading misinformation about the numbers of jobs that would be created. TransCanada claims that the project will create 9,000 construction jobs and 7,000 manufacturing jobs; meanwhile, their spokesmen and advocates have been quoted in the media suggesting that ''tens of thousands'' or ''over a hundred thousand'' direct and indirect jobs would be created.

This willful misrepresentation about jobs numbers speaks to how little these oil industry leaders, and those who they are funding, actually care about Americans who need jobs. They are selling a jobs pipe dream, so they can build a polluting pipeline.

Consider the struggles of those who have lost their jobs in the recession. Consider the families who cannot pay their bills, who cannot access health care, who cannot send their children to college and who have lost their homes. Then consider how irresponsible it is for oil company lobbyists and their friends to sell this pipeline using inflated job estimates.

According to a national study from the Political Economy Research Institute at the University of Massachusetts Amherst, every dollar put into clean energy creates three times as many jobs as putting that same dollar into fossil fuels. Further, median wages are 13 percent higher in the green energy sector than those in other parts of the economy. Over the past two years, jobs in the solar industry have grown nearly 10 times faster than jobs in the rest of the economy, with only modest investment from federal and state governments. If we were to commit fully to supporting clean energy and putting an end to global warming, then we could create even more jobs. Research from the Brookings Institution has found that job quality is better in the clean energy sector, which is creating medium- and high-credential jobs at twice the rate as the fossil fuel industry.

I urge my colleagues on both sides to vote against this bill, and turn their efforts instead to developing energy solutions for 2050—not 1950. Sludge from tar sands is not going to get America moving again; it will simply mire us in the past. Lets' move forward—and put a plug in Keystone XL once and for all.

Mr. DINGELL. Mr. Chairman, as the House prepares to once again vote on legislating approval of a presidential permit to construct the Keystone XL pipeline, I find it disappointing that the Majority refuses to work with Democratic supporters, like myself, of the pipeline. By attempting to legislate a process set in place by President George W. Bush, the Majority has succeeded in making the pipeline a political issue instead of one of unifying national energy independence. As a supporter of the Keystone XL pipeline, I oppose H.R. 3, the Northern Route Approval Act, and ask the Majority to instead work with the Administration to approve this project and legislate issues that can further enhance our energy independence rather than playing partisan politics.

The intent of the National Environmental Policy Act (NEPA) is to provide transparency so communities can know the impact of projects on their neighborhoods. However, H.R. 3 circumvents that transparency by simply deeming approved the NEPA review. H.R. 3 also deems approved permits under the Clean Water Act and Endangered Species Act. When these laws were passed, they were not revolutionary, they were commonsense, and were passed on an overwhelmingly bipartisan basis. One could even say these environmental laws were so important that they were, in fact, nonpartisan. Allowing those processes to run their courses is also commonsense and should be nonpartisan.

This pipeline will eventually be built either south from Canada to the Gulf Coast or west to the Pacific where the Canadian oil will be sent to China. As a supporter of the pipeline and American energy security, I, for one, would prefer to see those manufacturing, construction, and other jobs created here in the U.S.

Allowing the process provided under these laws to unfold does not mean you have to be opposed to the construction of the Keystone XL pipeline. The majority claims that this bill is necessary to ''address continued regulatory uncertainty.'' However, this bill does exactly the opposite; it circumvents the established process and potentially opens the project to lawsuits that will ensure the pipeline is kept in the court system for years to come.

I oppose this bill, which gives special treatment to a foreign company not afforded to domestic companies. The House should be doing more to secure our country's energy independence instead of playing political games with our nation's energy future. As a supporter of the Keystone XL pipeline, I urge you to oppose H.R. 3.

Ms. BROWN of Florida. Mr. Chair, this is America, and I fully believe it's possible to build the Keystone pipeline in a way that improves our access to crude oil and puts thousands of people to work, while still protecting citizens from hazardous spills. But we have to hold the industry's feet to the fire and make sure they are taking every possible precaution in building this pipeline.

There are members on both sides who support construction of the pipeline and we could work together to move this project forward, but the Keystone XL has become totally political, with people using it to score points rather than address some of the problems that could arise from its construction. Today's bill is dead on arrival, but here we are once again wasting the House's time on partisan bills the Senate will never take up.

When I chaired the Railroad, Pipelines, and Hazardous Materials Subcommittee we held five separate hearings concerning pipeline safety and found significant problems with reporting and inspections, as well as an unhealthy relationship between the pipeline industry and the agencies regulating them. We really need more scrutiny over the construction and operation of the Keystone Pipeline, not less. Deeming permits completed and suspending the Clean Water Act is a very dangerous precedent and will certainly make communities more vulnerable to the death and destruction that pipeline ruptures cause.

With the high unemployment rate this country is currently facing, we should be hiring and training inspectors and putting contractors to work replacing this aging pipeline infrastructure in this country. Gas and oil companies have profited by over $1 trillion dollars over the last decade, while the infrastructure that brings their products to market becomes more unstable and more dangerous.

Every day in America we see our infrastructure crumbling around us. The Association of Civil Engineers gave the nation's transportation infrastructure a grade of D.

That is unacceptable, and the American people deserve better. Let's put people back to work on improving our entire nation's infrastructure. That's a win for the economy and a win for America's workers.

Ms. JACKSON LEE. Mr. Chair, I thank the gentleman for yielding. And I rise to speak about the Keystone XL Pipeline Project and the legislation before us, H.R. 3.

Mr. Chair, the Keystone XL project proposed by TransCanada, a Canadian company, would build new pipeline to transport Alberta oil sands crude and crude oil produced in North Dakota and Montana to a market hub in Nebraska, and from there to Gulf Coast refineries. The proposed pipeline would deliver an estimated 830,000 barrels of oil per day. One of the most appealing aspects of the project is the positive economic impact it is expected to have on the economy.

Let me just take one State's economy and realize what would happen with this particular effort. There would be a $2.3 billion investment in the Texas economy, creating more than 50,000 jobs in the Houston area, providing $48 million in State and local taxes, increase the gross State product by $1.9 billion.

Although I favor the job creation potential of the Keystone XL Pipeline project however, the legislation contains several provisions that are of great concern to me.

First, because the pipeline would cross an international border, construction requires a presidential permit and would be subject to applicable State laws and permitting requirements.

To issue a presidential permit, the State Department, after consulting with other federal agencies and providing opportunities for public comment, must determine that the project would serve the national interest.

Because the Keystone XL project would constitute a major federal action with a potentially significant environmental impact, it is also subject to environmental impact statement requirements of the National Environmental Policy Act, NEPA.

The bill declares that a presidential permit is not required for approval of the Keystone XL pipeline's northern route from the Canadian border through Nebraska even though the project crosses an international border. This is unprecedented.

Second, H.R. 3 deems that environmental impact statements issued to date would be considered sufficient to satisfy all requirements of the National Environmental Policy Act and the National Historic Preservation Act, and the Interior Department and the U.S. Army Corps of Engineers are deemed to have granted all the necessary permits for the pipeline to proceed, including permits under the Migratory Bird Treaty Act.

As a senior member of the Committee on the Judiciary, I have a problem with ''deeming'' something done that has not been done in fact. I believe we should determine whether, under the Constitution, this alters the power of the office of the President.

Third, the bill vests exclusive jurisdiction regarding legal disputes over the pipeline or the constitutionality of this bill in the U.S. Court of Appeals for the District of Columbia and requires claims regarding the pipeline to be brought within 60 days of the action that gives rise to the claim. My amendment would have extended the time to one year.

It is unduly burdensome to require aggrieved parties to bear the considerable expense and hardship of traveling from their homes in North or South Dakota, Nebraska, Kansas, Oklahoma, or Texas to Washington, D.C. to vindicate their legal rights.

Mr. Chair, I also believe the bill before could have been improved had more amendments been made in order.

For example, an amendment I offered jointly with Congressman RUSH, Jackson Lee Amendment No. 4, would have struck Section 4 of the bill and restored the right to full judicial review to aggrieved parties.

Another amendment I offered, Jackson Lee Amendment No. 3, would have required the Secretary of Transportation to submit within 90 days of enactment a report to Congress identifying the procedures and policies adopted to ensure that women and minority business enterprises are afforded the opportunity to participate on an equitable basis in the construction and operation of the Keystone Pipeline. Had this amendment been made in order and adopted Congress would have been provided with helpful information needed to conduct appropriate oversight.

Another amendment I offered, Jackson Lee amendment No. 2, would have added a non-severability clause to the bill, which states that: ''if any provision or application of the legislation is held to be invalid, the entire act shall be rendered void.''

This non-severability clause simply would have made explicit that the component parts of this bill all fit together, in pari materia, so to speak, such that removing any one part would defeat the intended purpose of the bill.

My amendment would make very clear the congressional intent that this bill is so delicately crafted, that it is ''all or nothing.''

Each of these provisions would be rendered meaningless if any of the remaining parts is invalidated.

This has been a long standing principle of statutory construction, going back at least to 1936, when the Supreme Court stated in *Carter* v. *Carter Coal Co., 298 U.S. 238, 312 (1936):*

[T]he presumption is that the Legislature intends an act to be effective as an entirety—that is to say, the rule is against the mutilation of a statute; and if any provision be unconstitutional, the presumption is that the remaining provisions fall with it.

This presumption becomes conclusive when Congress makes its intention clear, see *Carter* v. *Carter Coal Co., 298 U.S. at 312,* by including a non-severability clause in the statute.

My amendment would have done just that.

Had these amendments been made in order and approved, the bill before would be improved markedly. It is my hope that there will be additional opportunities to improve this legislation as it moves forward. The Keystone Pipeline should be built following all the necessary rules and laws that protect the American people.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendments in the nature of a substitute recommended by the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–11. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 3

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Northern Route Approval Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) To maintain our Nation's competitive edge and ensure an economy built to last, the United States must have fast, reliable, resilient, and environmentally sound means of moving energy. In a global economy, we will compete for the world's investments based in significant part on the quality of our infrastructure. Investing in the Nation's infrastructure provides immediate and long-term economic benefits for local communities and the Nation as a whole.

(2) The delivery of oil from Canada, a close ally not only in proximity but in shared values and ideals, to domestic markets is in the national interest because of the need to lessen dependence upon insecure foreign sources.

(3) The Keystone XL pipeline would provide both short-term and long-term employment opportunities and related labor income benefits, such as government revenues associated with taxes.

(4) The State of Nebraska has thoroughly reviewed and approved the proposed Keystone XL pipeline reroute, concluding that the concerns of Nebraskans have had a major influence on the pipeline reroute and that the reroute will have minimal environmental impacts.

(5) The Department of State and other Federal agencies have over a long period of time conducted extensive studies and analysis of the technical aspects and of the environmental, social, and economic impacts of the proposed Keystone XL pipeline.

(6) The transportation of oil via pipeline is the safest and most economically and environmentally effective means of doing so.

(7) The Keystone XL is in much the same position today as the Alaska Pipeline in 1973 prior to congressional action. Once again, the Federal regulatory process remains an insurmountable obstacle to a project that is likely to reduce oil imports from insecure foreign sources.

SEC. 3. KEYSTONE XL PERMIT APPROVAL.

Notwithstanding Executive Order No. 13337 (3 U.S.C. 301 note), Executive Order No. 11423 (3 U.S.C. 301 note), section 301 of title 3, United States Code, and any other Executive order or provision of law, no Presidential permit shall be required for the pipeline described in the application filed on May 4, 2012, by TransCanada Keystone Pipeline, L.P. to the Department of State for the Keystone XL pipeline, as supplemented to include the Nebraska reroute evaluated in the Final Evaluation Report issued by the Nebraska Department of Environmental Quality in January 2013 and approved by the Nebraska governor. The final environmental impact statement issued by the Secretary of State on August 26, 2011, coupled with the Final Evaluation Report described in the previous sentence, shall be considered to satisfy all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and of the National Historic Preservation Act (16 U.S.C. 470 et seq.).

SEC. 4. JUDICIAL REVIEW.

(a) EXCLUSIVE JURISDICTION.—Except for review by the Supreme Court on writ of certiorari, the United States Court of Appeals for the District of Columbia Circuit shall have original and exclusive jurisdiction to determine—

(1) the validity of any final order or action (including a failure to act) of any Federal agency or officer with respect to issuance of a permit relating to the construction or maintenance of the Keystone XL pipeline, including any final order or action deemed to be taken, made, granted, or issued;

(2) the constitutionality of any provision of this Act, or any decision or action taken, made, granted, or issued, or deemed to be taken, made, granted, or issued under this Act; or

(3) the adequacy of any environmental impact statement prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), or of any analysis under any other Act, with respect to any action taken, made, granted, or issued, or deemed to be taken, made, granted, or issued under this Act.

(b) DEADLINE FOR FILING CLAIM.—A claim arising under this Act may be brought not later than 60 days after the date of the decision or action giving rise to the claim.

(c) EXPEDITED CONSIDERATION.—The United States Court of Appeals for the District of Columbia Circuit shall set any action brought under subsection (a) for expedited consideration, taking into account the national interest of enhancing national energy security by providing access to the significant oil reserves in Canada that are needed to meet the demand for oil.

SEC. 5. AMERICAN BURYING BEETLE.

(a) FINDINGS.—The Congress finds that—

(1) environmental reviews performed for the Keystone XL pipeline project satisfy the requirements of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)) in its entirety; and

(2) for purposes of that Act, the Keystone XL pipeline project will not jeopardize the continued existence of the American burying beetle or destroy or adversely modify American burying beetle critical habitat.

(b) BIOLOGICAL OPINION.—The Secretary of the Interior is deemed to have issued a written statement setting forth the Secretary's opinion

containing such findings under section 7(b)(1)(A) of the Endangered Species Act of 1973 (16 U.S.C. 1536(b)(1)(A)) and any taking of the American burying beetle that is incidental to the construction or operation and maintenance of the Keystone XL pipeline as it may be ultimately defined in its entirety, shall not be considered a prohibited taking of such species under such Act.

SEC. 6. RIGHT-OF-WAY AND TEMPORARY USE PERMIT.

The Secretary of the Interior is deemed to have granted or issued a grant of right-of-way and temporary use permit under section 28 of the Mineral Leasing Act (30 U.S.C. 185) and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), as set forth in the application tendered to the Bureau of Land Management for the Keystone XL pipeline.

SEC. 7. PERMITS FOR ACTIVITIES IN NAVIGABLE WATERS.

(a) ISSUANCE OF PERMITS.—The Secretary of the Army, not later than 90 days after receipt of an application therefor, shall issue all permits under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) and section 10 of the Act of March 3, 1899 (33 U.S.C. 403; commonly known as the Rivers and Harbors Appropriations Act of 1899), necessary for the construction, operation, and maintenance of the pipeline described in the May 4, 2012, application referred to in section 3, as supplemented by the Nebraska reroute. The application shall be based on the administrative record for the pipeline as of the date of enactment of this Act, which shall be considered complete.

(b) WAIVER OF PROCEDURAL REQUIREMENTS.—The Secretary may waive any procedural requirement of law or regulation that the Secretary considers desirable to waive in order to accomplish the purposes of this section.

(c) ISSUANCE IN ABSENCE OF ACTION BY THE SECRETARY.—If the Secretary has not issued a permit described in subsection (a) on or before the last day of the 90-day period referred to in subsection (a), the permit shall be deemed issued under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) or section 10 of the Act of March 3, 1899 (33 U.S.C. 403), as appropriate, on the day following such last day.

(d) LIMITATION.—The Administrator of the Environmental Protection Agency may not prohibit or restrict an activity or use of an area that is authorized under this section.

SEC. 8. MIGRATORY BIRD TREATY ACT PERMIT.

The Secretary of the Interior is deemed to have issued a special purpose permit under the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.), as described in the application filed with the United States Fish and Wildlife Service for the Keystone XL pipeline on January 11, 2013.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 113–88. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered 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.

AMENDMENT NO. 1 OFFERED BY MR. WEBER OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113–88.

Mr. WEBER of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 18, strike ''pipeline.'' and insert ''pipeline, and—

(A) the Department of State assessments found that the Keystone XL pipeline ''is not likely to impact the amount of crude oil produced from the oil sands'' and that ''approval or denial of the proposed project is unlikely to have a substantial impact on the rate of development in the oil sands'';

(B) the Department of State found that incremental life-cycle greenhouse gas emissions associated with the Keystone XL project are estimated in the range of 0.07 to 0.83 million metric tons of carbon dioxide equivalents, with the upper end of this range representing twelve one-thousandths of one percent of the 6,702 million metric tons of carbon dioxide emitted in the United States in 2011; and

(C) after extensive evaluation of potential impacts to land and water resources along the Keystone XL pipeline's 875 mile proposed route, the Department of State found that ''The analyses of potential impacts associated with construction and normal operation of the proposed Project suggest that there would be no significant impacts to most resources along the proposed Project route (assuming Keystone complies with all laws and required conditions and measures).''.''.

Page 2, line 21, strike ''of doing so.'' and insert ''of doing so, and—

(A) transportation of oil via pipeline has a record of unmatched safety and environmental protection, and the Department of State found that ''Spills associated with the proposed Project that enter the environment expected to be rare and relatively small'', and that ''there is no evidence of increased corrosion or other pipeline threat due to viscosity'' of diluted bitumen oil that will be transported by the Keystone XL pipeline; and

(B) plans to incorporate 57 project-specific special conditions related to the design, construction, and operations of the Keystone XL pipeline led the Department of State to find that the pipeline will have ''a degree of safety over any other typically constructed domestic oil pipeline''.''.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from Texas (Mr. WEBER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman.

Mr. WEBER of Texas. Mr. Chairman, thank you for recognizing me to speak in favor of my amendment on this very important legislation.

I want to thank Mr. TERRY for leading on an issue that is crucial to our economic recovery and our energy future. Rather than wait around for further delays—1,700 days and counting—and excuses from the President, Mr. TERRY has taken action to deliver the jobs and energy security that this administration so frequently promises to the American people.

Last week marked 1,700 days, that's 4.65 years, since the first permit application was filed for Keystone. Let me put that in perspective. I have a granddaughter who will be 2 years old in July. Had she been born when this permit was filed, she would be entering kindergarten this coming fall. Her name is Kate Liberty, by the way. She's the cutest thing this side of the Atlantic.

During that time, the State Department has produced, as the whip said, over 15,000 pages of environmental impact assessment, which have been endlessly discussed, debated, and deconstructed. Hundreds of thousands of public comments were made on these documents, and public meetings were held across the country in multiple States.

However, in 2012, President Obama rejected the first permit application for the Keystone XL pipeline, claiming that the deadline which required him to make a decision prevented a ''full assessment'' of the pipeline's impact. I would conclude, and I'm sure most of you would agree, that the State Department study of Keystone XL has gone far above and beyond the threshold required of a ''full assessment.'' In fact, this unprecedented degree of scrutiny has led many to conclude that the Keystone XL is the most studied pipeline in our Nation's history.

Despite this exhaustive environmental review, the administration has yet to make a decision on a project that will create American jobs, stimulate the economy, and enhance our energy security. In the meantime, opponents of the project continue to rely on false assumptions and misconceptions to urge its rejection.

My amendment simply sets the record straight on these accounts by adding findings from our own State Department that attest to the safety and environmental soundness of this project.

There are those who oppose the project who say it hasn't been studied enough—that's laughable. That we are proceeding hastily—4½ years and 15,000 pages prove otherwise. Others allege that the pipeline is a safety risk. The State Department findings prove these allegations unfounded. In fact, the State Department concluded that it has 57 extra safety features, and with that, the Keystone XL would have a degree of safety over any other domestic pipeline.

There are those who try to argue that the pipeline would threaten water resources, wildlife, and the communities along the route. However, the State Department disagrees, concluding there would be ''no significant impacts'' to resources along the proposed route.

Some insist that the pipeline will lead to increased greenhouse gas emissions and that halting the project will somehow combat global warming or reduce carbon emissions. However, the State Department's estimates of incremental emissions associated with the project are marginal, and they would have negligible impact on climate change, if any. Moreover, the State Department concluded that Canadian oil sands production will continue regardless of whether or not we build the Keystone. A global oil market and the statements of Canadian officials reinforce this reality.

The science supports approval of Keystone XL, and I agree. Given the facts, I see no reason the administration should make the American people

wait any longer for a project whose construction will support up to 40,000 jobs and generate $2 billion in earnings.

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

Mr. WAXMAN. Mr. Chairman, I rise to claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. WAXMAN. This amendment selects some statements from the State Department's draft supplemental Environmental Impact Statement to try to suggest that the Keystone XL tar sands pipeline poses no threat to the environment. I only wish that were the case.

This is a matter of basic chemistry. Tar sands don't contain oil. It takes a lot of energy to melt and process the tar sands into something that we can use like oil. That extra energy means more carbon pollution.

The State Department estimated that a gallon of gasoline from tar sands is responsible for about 17 percent more carbon pollution than the average U.S. gallon of gasoline. And it estimated that shifting to tar sands crude could add as much U.S. carbon pollution as 4.5 million more vehicles. Not surprisingly, these findings are not in this amendment.

□ 1610

But the real problem with this amendment isn't what it leaves out. The real problem is that it tries to argue that the Keystone XL tar sands pipeline does not pose real and serious environmental harm, and that's dangerously wrong.

The fact is we may be able to avoid the worst consequences of climate change or we may be able to fully develop the tar sands without capturing the carbon, but we can't have both. And building Keystone XL is critical to oil companies' plans to triple production of the tar sands.

The State Department's review rests on a key assumption. They assumed that if Keystone XL isn't built, the additional tar sands production would be moved by rail. They also assumed that the extra costs of rail wouldn't be high enough to affect investments in new tar sands projects.

With all due respect to the State Department, this is one case where many experts think they have just got it wrong. A recent Reuters report found big flaws in the State Department's analysis. Among other things, State assumed that rail shipment would cost about $10 per barrel, but current costs are closer to $30 per barrel.

The former Alberta Energy Minister said, ''If there's something that kept me up at night, it would be the fear that before too long we're going to be landlocked in bitumen.''

A Deloitte report said, ''Unless key transportation challenges are overcome, that new oil will have nowhere to go.''

And here's TD Economics: ''Production growth cannot occur unless some of the planned pipeline projects out of Western Canada go ahead.''

And here's what AJM Petroleum Consultants have said: ''Unless we get increased market access, like with Keystone XL, we're going to be stuck. Our production is going to be the one backed out of the system.''

And here's what the former editor of Oilweek said: ''Essential to diminishing hopes for an oil sands bonanza are three proposed pipelines.''

The Canadian Energy Research Institute said, ''with Keystone XL in place and operating at capacity, bitumen production could increase substantially.''

Keystone XL Pipeline is the key to enabling a massive increase in tar sands production and locking in our dependence on this very dirty oil. This would be catastrophic for the climate.

This amendment tries to downplay the climate impacts of Keystone XL, but even under the State Department's flawed analysis, there isn't another project in America with bigger climate impacts.

I urge a ''no'' vote on this Weber amendment and on H.R. 3.

I reserve the balance of my time.

Mr. WEBER of Texas. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentleman from Texas has 1 minute remaining.

Mr. WEBER of Texas. Well, I appreciate the gentleman from California's comments. It's interesting that we are going to belie the State Department's assessment when it's not advantageous to the argument, but we're going to try to rely on it when it's advantageous.

It's admirable that he's concerned about the cost per barrel of bitumen. I own a small business and, by golly, the oil companies that produce jobs and wealth for this company will decide on whether it's too costly.

The previous gentleman from New Jersey said there was no proof that even the oil would stay here in this country. Well, I submit this to you, Mr. Chairman, and esteemed Members. To what company do we say, We don't want you exporting your products? Do you tell Nike that? Do you tell Ford that? Who do you tell that?

And then to his statement that it's going to increase greenhouse gases, the experts have done the math, and they've come up with, if at all, it raises 1/100,000th of a degree Fahrenheit in global warming.

And finally, we heard testimony from the experts in our hearing, saves 400 to 500 trucks a day off the highway.

I yield back the balance of my time.

Mr. WAXMAN. Mr. Chairman, and my colleagues, the issue is, if we don't build this pipeline, can that tar sands oil be trucked? Can it be taken to market? And I submit that if it's not, if we don't build this tar sands pipeline, they're not going to be able to afford to truck it anywhere else.

They're trying to get us to help bail them out with this dirty tar sands oil so they can use the United States to help Canadian oil production, and we ought to say ''no.''

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. WEBER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. WEBER of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. WAXMAN

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113–88.

Mr. WAXMAN. Mr. Chairman, I seek recognition in support of the amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, after line 2, insert the following new paragraph:

(8) The Draft Supplemental Environmental Impact Statement for the Keystone XL Project issued by the Department of State on March 1, 2013, finds that ''the reliance on oil sands crudes for transportation fuels would likely result in an increase in incremental greenhouse gas emissions'' in comparison to the greenhouse gas emissions from the crude oils used in the United States, as measured over the full life-cycle of the fuels. The Draft Supplemental Environmental Impact Statement finds that based on the quantity of tar sands crude to be transported by the Keystone XL pipeline, there could be up to 20.8 million metric tons of carbon dioxide-equivalent emissions additional per year, which is equivalent to the annual emissions from 4,312,500 passenger vehicles.

At the end of the bill, add the following new section:

SEC. 9. OFFSETTING CLIMATE CHANGE IMPACTS.

This Act shall not become effective unless the President finds that the additional greenhouse gas emissions from the increased use of tar sands crude referenced in section 2(8) will be fully offset by TransCanada or tar sands producers through an equal quantity of additional greenhouse gas emissions reductions each year.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from California (Mr. WAXMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. WAXMAN. Mr. Chairman, this month we passed a grim milestone. Scientists recorded atmospheric concentration of carbon dioxide of more than 400 parts per million. The last time carbon dioxide concentrations were at that level was 3 million years ago. Seas were 60 feet higher, and human beings did not even exist. This milestone is yet another urgent reminder that we need to take immediate action to build a clean energy, low-carbon future.

The Keystone XL pipeline takes us precisely in the wrong direction. This

pipeline will expedite production of the dirtiest and most carbon-intensive crude oil on the planet and lock in our dependence on this dirty fuel for decades to come. I'm strongly opposed to the Keystone XL pipeline for that reason.

But if the House is going to pass a bill that approves the Keystone XL pipeline, the least we can do is try to minimize the harm. That's the point of this amendment.

Tar sands don't contain oil. It takes a lot of energy to melt and process the tar sands into something that we can use like oil. That extra energy means more carbon pollution. This isn't in dispute, although we hear arguments that it is, but it is not in dispute.

The State Department has estimated that a gallon of gasoline from tar sands is responsible for about 17 percent more carbon pollution than the average U.S. gallon of gasoline. Other studies suggest that numbers could be even higher.

To protect our Nation from droughts, wildfires, and extreme weather, we need to be reducing carbon pollution. But, according to the State Department, using tar sands crude from Keystone XL could increase U.S. carbon pollution by up to 20 million metric tons per year. That's why the Keystone pipeline is a huge step in the wrong direction.

My amendment simply holds TransCanada and the tar sands producers accountable for their carbon pollution. It says that they have to reduce other carbon pollution to offset the extra pollution from Keystone XL. This won't get us closer to meeting our climate goals and building a clean energy future, but at least we won't be increasing the U.S. carbon pollution.

This amendment is not a cure-all. Approving Keystone XL will allow the oil industry to triple tar sands production. During the Energy and Commerce Committee hearing on this bill, we heard testimony that there's no plausible scenario in which tar sands production triples and we don't avoid a catastrophic level of climate change.

So make no mistake; even with this amendment, the Keystone XL pipeline would be a disaster for the climate, but this amendment would help. It would minimize extra carbon pollution. It would send a message to the tar sands producers and Alberta that they need to do a lot more to address climate change, and it would signal that the United States Government takes the threat of climate change seriously.

□ 1620

We need to start holding oil executives accountable for the pollution that is threatening our health and welfare. We need to make the polluters accountable for the damage they are inflicting on our children and our grandchildren. Our generation has an obligation to protect the Earth for future generations. This amendment is at least a small step in that direction.

I urge my colleagues to support this amendment and to vote ''no'' on the final bill.

I reserve the balance of my time.

Mr. TERRY. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman from Nebraska is recognized for 5 minutes.

Mr. TERRY. Mr. Chair, I reserve the balance of my time.

The Acting CHAIR. The gentleman form California has 1 minute remaining.

Mr. WAXMAN. Mr. Chairman, who has the right to close on this amendment?

The Acting CHAIR. The gentleman from Nebraska has the right to close on this amendment.

Mr. WAXMAN. My colleagues, I think this amendment says if you're going to go ahead with this pipeline, at least look for other ways to reduce carbon emissions. Put the burden on the Keystone XL pipeline producers and Alberta, Canada. Don't just accept all the pollution if it can be minimized by our carbon reductions. That will help reduce the harm that this whole project will cause for the climate change that's threatening us and that we're seeing today throughout this country everyday in the news. It will help minimize aggravating that problem.

It's not a solution, but it's a way that we can say that if we're going to have the XL pipeline, at least get some offsets on carbon so that we're not just increasing it to the maximum levels possible of all the greenhouse gases that are going into the air.

I urge support for this amendment, and I yield back the balance of my time.

Mr. TERRY. There are two realities here. Number one is that on the process of obtaining the bitumen, the crude that comes and will be put into the pipeline, that process is becoming more efficient all the time and decreasing its carbon footprint. But what's produced is equal to a heavy crude. That's what the State Department, under the appropriate rules, stated or concluded, based on the environmental impact studies. It is, in essence, equal to what we're importing from Venezuela today. In essence, it's neutral. That's the State Department's own conclusions and analysis—that it would have no real impact on climate change. So the study has been completed and this amendment is not necessary. It's just another way to keep delaying.

I would request a ''no'' vote.

Mr. WAXMAN. Will the gentleman yield for a question?

Mr. TERRY. I yield to the gentleman from California.

Mr. WAXMAN. How will this delay the project? It simply says, as they develop this pipeline, they have to look for other ways. They can then start figuring that out without delaying the project, as I understand it.

Mr. TERRY. We interpreted that requesting that information could be used as a tool to further delay it. That's how we've reached that conclusion. They've used so many things to delay this already that we're just suspicious that this would be another opportunity.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. WAXMAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. WAXMAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 113–88.

Mr. JOHNSON of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 4, insert ''(a) IN GENERAL.—'' before ''Notwithstanding Executive''.

Page 3, after line 21, insert the following new subsection:

(f) REQUIRED STUDY.—Notwithstanding subsection (a), final approval of construction and operation of the Keystone XL pipeline shall not occur until the President has determined that the appropriate Federal agency has completed a study of the health impacts of increased air pollution in communities near refineries that will process up to 830,000 barrels per day of tar sands crude transported through the Keystone XL pipeline, including an assessment of the cumulative air pollution impacts on these communities, many of which already experience unhealthy levels of air pollution.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. This bill is about profits over people. This bill puts the Koch brothers' profits above people's health.

No one knows how much air pollution this pipeline will cause or how the pollution will impact public health. My amendment, which has been endorsed by the National Resources Defense Council and by the Sierra Club, is common sense. I'm simply requesting a thorough analysis of the potential health risks. I am essentially asking that that analysis be completed before any decision is made on the pipeline.

Even though the State Department has submitted two Environmental Impact Statements on the Keystone XL pipeline, the Environmental Protection Agency has found that neither statement included a satisfactory evaluation of the increased air pollution that would come as a result of the pipeline's

operation. Communities surrounding the oil refineries that would be transporting raw tar sands crude through this proposed pipeline are already exposed to dirty air. Approval of the Keystone XL pipeline will only make it worse.

The raw tar sands crude is more toxic and acidic than other types of crude, Mr. Chairman. Raw tar sands crude produces significantly more harmful pollutants and greenhouse gas emissions than conventional crude oil due to the complex refining process it must go through before it reaches the gas pumps.

As this type of crude has only been exported to the United States from Canada for a relatively short period of time, there has not been a thorough study on how its transport would affect air quality in our Nation. It is troubling that the construction of the Keystone XL pipeline, which would transport 900,000 barrels of this crude oil daily, should take place before such a study that would evaluate its effects on health has ever been done. We have a responsibility to the American people to properly assess what risks the construction of this pipeline may pose to our health. It would be irresponsible of us to sweep these concerns under the rug just to rush this project to the finish line.

Valid questions have been raised about the health risks associated with the increased air pollution this pipeline will produce. These questions deserve legitimate answers. For this reason, I'm requesting a study on the health impacts of raw tar sands crude pollution in our communities surrounding the refineries where the Keystone XL pipeline will operate. I urge my colleagues to share my commitment to safeguarding Americans' health, and I ask that you approve my amendment and allow for such a study to be done before we make any decision on the pipeline's construction.

I reserve the balance of my time.

Mr. TERRY. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman from Nebraska is recognized for 5 minutes.

Mr. TERRY. And I reserve the balance of my time.

Mr. JOHNSON of Georgia. I yield back the balance of my time.

Mr. TERRY. I rise in opposition to the study. It requires another additional study around the refineries. Keep in mind that the refineries have already been through extensive research and studies to obtain their permits. Yes, many of the refineries are expanding right now, also under the tutelage and permitting processes of the EPA.

□ 1630

They're already being studied. It's not necessary to then include it as a condition precedent to the construction of the Keystone pipeline, which is the essence of what this bill does.

The gentleman from Georgia mentioned that the two entities that are encouraging this amendment are the two entities that have been at the forefront of causing most of these delays, so it's no surprise to me that the Sierra Club and the NRDC are throwing another tool out there to continue these delays. That's the whole purpose.

After 1,700 days, almost 5 years, three major environmental studies on this pipeline, it's time to just get this done. Enough is enough.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. CONNOLLY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 113–88.

Mr. CONNOLLY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 4, insert ''(a) IN GENERAL.—'' before ''Notwithstanding Executive Order''.

Page 3, after line 21, insert the following new subsection:

(b) THREAT ASSESSMENT.—Subsection (a) shall not apply until the Pipeline and Hazardous Materials Safety Administration, in consultation with the Department of Homeland Security, conducts a study of the vulnerabilities of the pipeline to terrorist attack and certifies that the necessary protections have been put in place so that the pipeline would withstand such an attack and a spill resulting from such an attack.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Mr. Chairman, I rise in support of this commonsense amendment that seeks to protect the pipeline from a possible terrorist attack and to ensure our national security.

This simple amendment requests that the Pipeline and Hazardous Materials Safety Administration, in consultation with the Department of Homeland Security, consistent with its existing MOU, conduct a study of the vulnerabilities of the Keystone XL pipeline to a terrorist attack and certify that necessary protections have been put in place.

Across the United States, more than a half million miles of pipelines transport natural gas, oil, and other hazardous liquids. Within this network, nearly 180,000 miles of pipeline carry hazardous liquids, including more than 75 percent of our country's crude oil and 60 percent of all of its petroleum products. This important network connects our power plants, ports, refineries, airports, and military bases.

While these pipelines are no doubt critical to the U.S. energy supply, we must also recognize the potential threat. Sadly, as the recent bombing in Boston—my hometown—demonstrated, America must always be on the alert to a terrorist attack on our own soil, sometimes even a native-born one. All it takes is a few bad actors to inflict terrible damage. Unfortunately, our Nation's pipelines remain an easy target.

Both domestically and globally, pipelines have been a favorite of terrorists. There have been attempted attacks on pipelines throughout the world, including in Colombia, Canada, London, Nigeria, and Mexico, to name a few. The Cano Limon oilfield in Colombia has been bombed more than 950 times since 1993, for example.

Here in the United States, fortunately, we don't face that kind of threat every day, but the threat is still real. Since September 11, Federal authorities have continued to acknowledge that our pipelines are a possible target.

In June of 2007, the Department of Justice actually arrested members of another terrorist group planning to attack jet fuel pipelines in storage containers at JFK Airport in New York; in 2011, a U.S. citizen was arrested for planting an improvised explosive device under a pipeline in Oklahoma; and in June of 2012, a man was arrested for trying to blow up a pipeline in Texas.

Even a single individual with a grudge can wreak havoc with a pipeline and cause substantial harm. In 2001, a vandal armed with a high-powered rifle shot at a section of the trans-Alaska pipeline, causing extensive economic and environmental damage.

Recognizing that this threat is real, my simple amendment asks that the Pipeline and Hazardous Materials Safety Administration work with Homeland Security to study the vulnerabilities of the Keystone pipeline and certify that protections are put in place to withstand such attacks.

If constructed, the Keystone will represent a 1,700-mile target. The very least we can do, if we're going to do that, is to ensure we have protections in place to protect both the source of our energy and our national security.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. I do rise in opposition to the amendment.

My good friend from Virginia, I understand his need to make sure that our pipelines are safe, but this amendment is redundant of existing Transportation Security Administration guidelines. It's unnecessary and simply attempts to further delay the project.

TSA guidelines bring a risk-based approach to the application of the security measures throughout the pipeline industry. As stated in the National Infrastructure Protection Plan, DHS assesses risk as a function of threats, vulnerabilities, and consequences. With this in mind, the most effective security programs employ a risk management process that facilitates protective planning and decisionmaking to mitigate the risk for pipeline assets.

The operator's risk assessment methodology is subject to review by the TSA. Therefore, risk and vulnerability to pipelines are already covered under current guidelines. There is no need to specifically single out this pipeline for further study.

Clearly, this is intended to delay the Keystone pipeline from being built, so I urge a ''no'' vote and yield back the balance of my time.

Mr. CONNOLLY. I would simply say in response to my friend from Pennsylvania, for whom I have great respect, that this is not redundant because the review process looks at a lot of things—stress, corrosion, improper operation, weather-related disaster, even vandalism. It does not, however, address acts of terrorism. That is why I do not believe that my amendment is redundant.

Frankly, in light of recent events in this country, we must double-check and be double sure that that which we build as sensitive as a pipeline is secure. I think Americans are entitled to that extra security. I don't consider it a redundancy, and I urge passage of the amendment.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CONNOLLY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. RAHALL

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 113–88.

Mr. RAHALL. Mr. Chairman, I have an amendment at the desk designated as amendment No. 5 in the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 3 of the committee print (and redesignate subsequent sections accordingly).

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from West Virginia (Mr. RAHALL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. RAHALL. Mr. Chairman, I'm offering this amendment on behalf of myself and PETER DEFAZIO of Oregon.

This amendment simply strikes section 3 of the bill. This is the section which states that the Keystone XL pipeline does not require a permit to cross the international border between Canada and the United States. Under this amendment, all other provisions of the bill remain intact, including those relating to judicial review, rights-of-way, and the Clean Water Act.

I believe that getting into the business of waiving permits for a foreign company to do business here in the United States is not the way to facilitate the construction of this pipeline. American interests are at stake here, and to allow this extremely massive pipeline project to proceed without a permit is ludicrous. As I said in comments earlier today, we do not even do that for domestic companies here in this country.

Section 3 also creates a very convoluted and confusing regime. It references a final Environmental Impact Statement issued on August 26, 2011, as satisfying NEPA for the project. Yet that EIS was done for a different permit application than the one currently pending.

□ 1640

I repeat: that EIS was done for a different permit application than the one that's currently pending.

In February 2012 TransCanada split the project into two pieces—the northern route and the southern route. The company then on May 4, 2012, reapplied for a permit for the revised route, limiting it to the northern route that is the subject of H.R. 3.

Yet the pending legislation references an EIS from August 2011—again, for an entirely different permit application.

As a supporter of the Keystone pipeline, I find it difficult to see how this convoluted process set forth in section 3 would facilitate its construction.

I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I rise to claim time in opposition to the amendment

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. DENHAM. I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Chairman, I want to clarify that that was done for a different permit. The study that was done—that's referenced in there—is the environmental study and the requested supplemental for the route, except for the State of Nebraska.

There's another sentence in there that he didn't mention and that is in the now second supplemental for the State of Nebraska new review. There was an earlier statement that there was never one done under Nebraska. That's just absolutely false.

The reality is we've done all of the environmental statements on this route for this permit that were required. So I want to make that clear.

And the other point that I would like to make is the language that's taken in this bill about deeming it in the national interest and deeming the environmental studies—as they've been done for this route in total—have been done before, including the language taken out of a bill that the gentleman that's speaking right now supported in 2004.

Mr. RAHALL. Mr. Chairman, I appreciate the gentleman from Nebraska's comments. I understand the EIS to which he refers was done for the State of Nebraska, but not for the current pending application.

I yield the balance of my time to the cosponsor of the amendment, the gentleman from Oregon (Mr. DEFAZIO).

The Acting CHAIR. The gentleman from Oregon is recognized for 3 minutes.

Mr. DEFAZIO. I thank the gentleman for yielding on this.

I spoke earlier today. This is the seventh attempt by this House to expedite, or now in this case, we are not expediting permitting, we are mandating permitting.

The gentleman just said that there's some disagreement here. The bill clearly states that it's the 2011 DEIS which is deemed to be sufficient which does not contain the current routing for the line.

We could create somewhat of an extraordinary precedent here. We could just have one generic national pipeline EIS that was done somewhere for something and went through the process and was approved and then deemed that any other pipeline that wants to be built can use that generic pipeline permit. That would certainly expedite things.

Mr. TERRY. Will the gentleman yield on that point?

Mr. DEFAZIO. No, I'm sorry, I don't have enough time.

We would just deem that pipelines anywhere and everywhere met national interest, public safety, and that.

I also raised the point earlier that this will transport tar sands oil through a pipeline which the IRS has deemed not to be oil, so it won't pay the normal excise tax to go to the trust fund which takes care of leaks, like the one we just recently had in Kansas. It will go to a tax-free export zone to a refinery half owned by Saudi Arabia and this will bring us energy independence. Independence from whom?

Every time we pump another barrel, the Saudis and OPEC drop a barrel. They're keeping the price up. There is no free market in oil. You guys all know that. This is not going to save Americans one penny at the pump.

If you want to save Americans money at the pump, let's go after the speculators on Wall Street who are adding 75 cents or $1 to the price of a gallon of gas. Let's go after the collusion by the oil companies that shut down all the refineries all at once every year at the

beginning of the refining season for periodic maintenance, which they couldn't predict was going to happen, or sometimes there's a little accident. Except it turned out last year with an investigation they weren't really shut down—they just jacked up the price 50 cents a gallon like they always do.

So to pretend that somehow by deeming this to be sufficient, mandating that it happen, allowing a foreign company to build this pipeline across the United States of America, transport tar sands oil to a refinery half owned by the Saudis to be exported out of the United States, perhaps to China—over there you are saying, oh, we don't want to go to China. Well, it may well go to China and go through the Panama Canal. You're not going to stop that, and it's going to save the American taxpayers money at the pump and put people to work. Yes, there will be temporary construction jobs.

But we can do better, particularly as this committee. If we made the investments we need to make in our water infrastructure, our port infrastructure, our roads, bridges, highways, and transit systems, we can put millions of people to work permanently in this country and rebuild our infrastructure and once again claim world leadership there. We've got better things for this committee to be doing.

Mr. RAHALL. I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, I yield myself the balance of my time.

The Acting CHAIR. The gentleman from California is recognized for 4 minutes.

Mr. DENHAM. This amendment guts the bill by eliminating the section that, one, declares that no Presidential permit is needed for TransCanada's Keystone XL pipeline; and, two, deems the lengthy environmental reviews already completed as satisfying the requirements of the National Environmental Policy Act and the National Historic Preservation Act.

Given that this project has already had 5 years of studying, section 3 is necessary to ensure the Keystone XL project is done in a timely manner, and we need these American jobs.

I yield the balance of the time to the chairman of the full Transportation and Infrastructure Committee, the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I thank the gentleman for yielding.

Mr. Chairman, my good friend from Oregon is right about this committee building infrastructure, but there is nothing more important right now than making sure our pipelines are in place to bring the energy safely to millions of Americans, and efficiently to millions of Americans. This is a core of what this committee does. That's why we have primary jurisdiction. That's why we're here debating this issue today.

This bill simply takes back congressional authority—constitutional congressional authority—for us to be able to pass legislation to move things forward, and in this case to move this pipeline forward. This permit as processed will set up an executive order taking away congressional authority. So I am very, very proud and pleased to stand here today and to urge my colleagues to take a vote today to take back part of our constitutional congressional authority, move this pipeline forward, creating jobs, giving us more energy security in the world.

Mr. DENHAM. Mr. Chairman, I urge a ''no'' vote and yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. RAHALL).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. RAHALL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from West Virginia will be postponed.

AMENDMENT NO. 6 OFFERED BY MS. ESTY

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 113–88.

Ms. ESTY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 6, strike ''or maintenance''.

Page 5, line 23, strike ''or operation and maintenance''.

Page 6, beginning on line 18, strike '', operation, and maintenance''.

The Acting CHAIR. Pursuant to House Resolution 228, the gentlewoman from Connecticut (Ms. ESTY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. ESTY. Mr. Chairman, I yield myself 2 minutes.

My amendment would strike the words ''operation and maintenance'' from section 7 of the bill.

This section requires the Army Corps of Engineers to approve all permits under section 404 of the Clean Water Act and section 10 of the River and Harbors Act, within 90 days of receipt of a permit application.

The mandate to approve all permits would apply regardless of whether the project meets the needs of the law or not and would cover not only the initial construction of the project, but takes the unprecedented step of applying to all future operation and maintenance, in perpetuity.

Not only is this unprecedented; it is unwarranted and reckless.

Each time the House has debated the Keystone XL pipeline, the focus has always been on expediting the construction. This amendment does not affect or delay construction. I repeat: this amendment does not affect or delay construction of the pipeline.

Whether you support the pipeline or not, section 7 goes far beyond that. It would require the Corps to grant any permit request for operation and maintenance of the pipeline for all eternity.

We do not provide this special treatment to any other pipeline operator in the U.S. Domestic companies are required to go through the proper process for obtaining permits for construction, operation, and maintenance activities.

□ 1650

Why would we treat a foreign company differently and give it a free pass through a multidecade lifespan of the pipeline?

My amendment would eliminate this reckless loophole and a few others to ensure that all operations and maintenance activities on this pipeline, should it be built, are subject to the same review and mitigation requirements that the other 2.6 million miles of pipeline in the United States must meet.

I urge Members to support this amendment, and I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. DENHAM. This amendment would further delay the Keystone XL pipeline and create additional uncertainty for the project. This amendment would basically gut the bill by allowing the construction but not the operation of the pipeline. It makes absolutely no sense for the Federal Government to permit a project to be constructed but not operated. This would be like getting a building permit to construct a house but not being able to certify the occupancy to actually live in the house. This pipeline will be subject to continued oversight by the Pipeline and Hazardous Materials Safety Administration, the Corps, and other regulators to ensure that the operators are complying with the project's permit requirements.

I reserve the balance of my time.

Ms. ESTY. I now yield 1 minute to my colleague, the distinguished gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. I thank Ms. ESTY for yielding and for offering this amendment.

I have always been a supporter of the Keystone XL pipeline. I have voted for it every time it has come to this floor in any form in which it has come here.

This bill, however, goes beyond simply completing the environmental review and Presidential approval of the pipeline. This bill mandates that the Army Corps and other agencies approve permits not just for construction but for all future maintenance activities on the pipeline. The Army Corps review of permits is important to limiting environmental damage and other impacts like flooding. The southern portion of

this pipeline, which I'm very happy is underway, is currently being constructed without having to waive laws and automatically approve permits like this.

I urge Members to support this amendment so we can really come together in a strong bipartisan fashion to approve the Keystone XL pipeline and get this done and get these jobs created in America.

Mr. DENHAM. Mr. Chairman, I continue to reserve the balance of my time.

Ms. ESTY. I yield myself such time as I may consume.

When a version of this amendment was offered in committee, the majority opposed it, claiming that the Corps permits are intended to cover both the construction and the ongoing operations and maintenance of a project. This is simply not accurate.

Following the markup, I consulted with the Army Corps, which stated very clearly that ongoing operations and maintenance activities beyond the initial 5 years are not authorized under the initial permit for the construction of the project. In fact, according to the Corps, operations and maintenance activities that occur in the future beyond the initial 5 years need to be authorized under a separate permit at the time the activity takes place. In addition, any permit that is issued today by the Corps for construction or maintenance would expire in 5 years and would need to be renewed.

I would like to submit for the RECORD a copy of the Army Corps' explanatory decision document nationwide permit 12, which describes the permitting procedures.

So the language in the underlying bill would give construction and all future operations and maintenance under the Clean Water Act and the Rivers and Harbors Act a free pass from review by requiring the Corps to approve them regardless of whether they minimize or mitigate the impacts.

In addition, this amendment would eliminate another loophole to ensure that operations and maintenance activities comply with the Endangered Species Act, just like all other pipelines.

Further, the amendment will strike ''maintenance'' from section 4, on judicial review, to prevent a small family farmer or a property owner from being forced to travel to a D.C. court to seek redress from future harm to their land or to their children's rights for the duration of the lifespan of this pipeline.

Regardless of your views on the construction of the Keystone XL pipeline, I urge my colleagues to vote ''yes'' on my commonsense amendment to prevent new loopholes and, quite possibly, to prevent the creation of a regulatory earmark for one foreign corporation.

I urge a ''yes'' vote on my amendment, and I yield back the balance of my time.

Following is the link to the full document referred to earlier: http://www.usace.army.mil/Portals/2/docs/civilworks/nwp/2012/NWP__12__2012.pdf

Mr. DENHAM. Mr. Chairman, I yield the balance of my time to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I thank the gentleman for yielding.

Once again, this amendment does nothing more than to delay or gut the bill. It is correct what the gentlelady from Connecticut says in that this amendment does not impact the construction at all—and it does not. Yet, as the gentleman from California pointed out, the analogy here is, if you build a house, this amendment would say you can't live in the house, that you can't operate in the house. Again, this amendment does nothing more than gut the bill. It's a delay tactic.

As I said earlier, this bill allows Congress the ability to regain its constitutional authority. Congress has the express authority under article I, section 8 of the U.S. Constitution ''to regulate commerce with foreign nations and among the several States.''

So this bill does that. I urge all of my colleagues to vote ''no'' on this amendment and ''yes'' on the underlying bill.

Mr. DENHAM. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. ESTY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. ESTY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Connecticut will be postponed.

AMENDMENT NO. 7 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 113–88.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 21, strike ''60 days'' and insert ''1 year''.

The Acting CHAIR. Pursuant to House Resolution 228, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. I thank the respective authors of this legislation because I know that their intent is a purposeful intent.

I have made public statements that I believe that moving forward with the right approach, ensuring that the necessary protections are in place, the necessary environmental protections are in place and the permitting is in place, will create an enormous number of jobs. In fact, I opposed the rule because I've offered amendments that would provide opportunities for minority contractors, women-owned contractors, opportunities for the recruitment of a new generation of workers in the energy industry, which I thought would be a contributing factor to this legislation.

I offer a very simple amendment that has nothing to do with stopping any aspect of the construction. I would hope, however, that the regular order would proceed with the State Department's permitting process and the President's approval, but my amendment does not speak to that. My amendment is an amendment that seeks to simply be fair, Mr. Chairman. My amendment is simple and straightforward.

It extends the time period for filing a claim arising under the act from 60 days to 1 year after the date of the decision or action giving rise to the claim. This amendment is especially needed because H.R. 3, the underlying bill, vests exclusive jurisdiction over any and all claims arising under the act in a single court, the U.S. Court of Appeals for the District of Columbia, which is thousands of miles from many of those who may be impacted.

Think about that. The Keystone pipeline is proposed to run from Alberta, Canada, through the great States of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and my State of Texas, all the way to the gulf. Maybe there is some collateral impact as well, but the only court in the country authorized to hear the claims of the residents of any of these States who seek justice for a legally cognizable claim or injury is located more than 1,000 miles away from their homes.

Mr. Chairman, they cannot go to a district court. They cannot go to the southern district. This will impose an undue hardship and a financial burden on ordinary Americans seeking justice. Instead, the bill requires them to find and retain a high-priced D.C. lawyer whom they don't know and may have never met to represent their interests in a court far, far away.

Another reason for extending the time period in which to file a claim—remember, this is after the passage and construction of this particular entity—from 60 days to 1 year is that, by lodging jurisdiction in the D.C. Court of Appeals, the burden of proof and persuasion is shifted from the governmental and corporate actors involved to the homeowners, small businesses, and individuals bringing legal rights. Grandma and Grandpa and all of those individuals will have to travel 1,000 miles.

□ 1125

This is because the burden that must be shouldered by a plaintiff is very steep. To challenge factual evidentiary determinations made in an Environmental Impact Statement, for example, a plaintiff must demonstrate that

they're not supported by substantial evidence in the record considered as a whole. To meet the standard, plaintiffs will have to retain experts, locate and prepare witnesses, and gather and review documentary materials.

I hope in a bipartisan way we can get to where all of us would like to be, ensuring that we have a constructive project for all Americans.

With that, I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR (Mr. MARCHANT). The gentleman from California is recognized for 5 minutes.

Mr. DENHAM. I reserve the balance of my time for my personal close.

Ms. JACKSON LEE. Mr. Chair, again, I would have hoped, having worked with the gentleman from Nebraska, the proponent of this legislation, that we would continue to work on a bipartisan pathway.

This amendment is to relieve the burden on some of the very people many of us represent, and that is, of course, those individual claimants who happen to be in faraway places who now have to go to the D.C. Court of Appeals and to actually bear the burden of responsibility dealing with the fact that when you challenge the factual evidentiary determinations made in an EIS statement, an Environmental Impact Statement, for example, the plaintiff must demonstrate that they're not supported by substantial evidence in the record considered as a whole.

That's an extreme burden that will have to be carried by plaintiffs. They'll have to secure lawyers here in the D.C. area. They'll have to travel here, bear extra expenses. It will be necessary to get experts, locate and prepare witnesses, relocate themselves, and gather and review documentary materials. I would suggest that it is obviously a stress and a burden.

In section 4, this bill has no right to judicial review. So in essence, it means that you have one track to go in for a number of issues that might come forward. I am concerned that that would be the case. And for that reason I think that our amendment has the strength of purpose that is necessary.

Let me also add again, as I want to be very clear, why should we burden the individual plaintiffs, Mr. Chairman, with financial burdens that are excessive? My amendment gives them a fair amount of time to get a response and to participate in this process.

I ask my colleagues to support the amendment, and I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, this amendment seeks to undermine an important streamlining provision in the bill that sets firm deadlines for filing claims.

In order to cause maximum delays, opponents of projects often wait until the final possible day to file claims. Setting firm reasonable deadlines has no impact on legal rights.

This bill is limited in the types of claims that receive the expedited review to just three: validity of final orders, constitutionality of the act, and adequacy of the Environmental Impact Statement.

These claims must be filed within 60 days of the final order or action giving rise to that claim. No other claim is affected by the 60-day filing deadline.

Because of the limitations on types of claims covered by the deadline, 2 months is more than ample time to file with the D.C. circuit. Extending to a new year is simply one more delay tactic.

With that, I urge a ''no'' vote and yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 8 OFFERED BY MS. CHU

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 113–88.

Ms. CHU. I rise to offer amendment No. 8, the Chu-Polis-Connolly amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, after line 23, insert the following:

SEC. 9. POTENTIAL IMPACTS OF PIPELINE SPILL.

(a) STUDY.— The Comptroller General of the United States shall conduct a study of the Keystone XL pipeline project to determine—

(1) the total projected costs of cleanup activities that would be required in the event of a discharge of oil and hazardous substances from the project; and

(2) the potential impacts of such a discharge on—

(A) public health;

(B) the environment; and

(C) the quantity and quality of water available for agricultural and municipal purposes.

(b) REPORT.—The Comptroller General shall submit to Congress a report containing the findings of the study required under subsection (a).

The Acting CHAIR. Pursuant to House Resolution 228, the gentlewoman from California (Ms. CHU) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. CHU. Mr. Chairman, I yield myself such time as I may consume.

I rise today to offer an important amendment, along with Congressman POLIS and Congressman CONNOLLY, to H.R. 3, the Northern Route Approval Act, which would authorize construction of the highly controversial Keystone XL pipeline.

Our amendment calls for the Government Accountability Office to conduct a study on the cost of cleaning up oil spills from this pipeline. We need to know how much it's going to cost taxpayers to decontaminate our cities, towns, and farmlands when the pipeline leaks. We need to know how a spill will harm residents and the environment. Will it make Americans sick, pollute our water, and contaminate our farms? Americans have the right to know the full cost and harmful impacts that a spill would have.

There are many serious questions and inadequacies in some of the analyses of the project, if not glaring holes. Take greenhouse gas emissions, take pipeline safety and spill response, take alternative pipeline routes—there is too much we don't know. What we do know, though, is that the pipeline will transport oil that is heavily corrosive, making spills more likely and also more difficult and costly to clean up.

Tar sands pipelines in the U.S. have some of the worst spill records. Pipelines in North Dakota, Minnesota, Wisconsin, and Michigan spilled nearly four times as much crude per mile than the national average in the last 2 years. Yet, the Keystone XL pipeline, as planned, will cut across America's heartland. It will run above the Ogallala Aquifer, which is a main source of drinking and farm water for nine States, endangering hundreds of thousands of people.

That is why I oppose the bill. We cannot rush a decision that could have so many harmful impacts on the health of thousands of Americans. And that is why I urge the House to support our amendment.

Join me in asking the GAO to study the cost of spill cleanup and its impact on our health, environment, and water. The American people deserve to know.

I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. DENHAM. These issues have already been the subject of the study by the State Department. The environmental review process, which included four different Environmental Impact Statements, analyzed oil spills of varying size, the types of releases, and the impacts of oil spills. Additional studies would just waste taxpayer dollars.

I reserve the balance of my time.

Ms. CHU. Mr. Chairman, I yield 1½ minutes to Representative POLIS.

Mr. POLIS. Mr. Chair, I would like to thank my colleagues, Ms. CHU from California and Mr. CONNOLLY from Virginia.

This amendment would require that the Government Accountability Office, which is independent, evaluate the true cost of potential spills from the Keystone XL pipeline. Americans want to know. We want to know what the impact of tar sands spills are on public health, on the environment, on the quantity and quality of water that's available for agriculture and farmers

and for municipalities and for drinking.

We all know that tar sands crude oil can be dangerous. We saw the recent spill in Mayflower, Arkansas. It's critical that we address the true cost of oil pipeline spills and their true impact. It's inevitable that the Keystone XL pipeline will have costly spills and leaks.

Spills are especially concerning because the pipeline is slated to cross over the Ogallala Aquifer, one of the world's largest aquifers that supplies drinking and irrigation water to millions of Americans.

□ 1710

Instead of trying to rubber-stamp the Keystone XL this week and short circuit the very process that Congress established, instead we should be working to ensure that spills won't impact the health of our communities and the quality of our water. I thank the gentlelady for yielding me time.

Mr. DENHAM. Mr. Chairman, I reserve the balance of my time.

Ms. CHU. I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Chairman, I thank my friend from California, Ms. CHU, for her leadership and my colleague, Mr. POLIS, from Colorado. I couldn't be in more congenial company on an amendment that I think is very simple and straightforward.

The American people are entitled to transparency. As Mr. POLIS indicated, leaks are inevitable, and any pipeline corrodes. Especially with this kind of crude oil, which is highly corrosive, you're going to have leaks. The American people are entitled to know the cost of cleanup and the dangers to the environment. I think that's fairly straightforward. I know my colleagues share in the value of transparency in government, and I think that we should be doing that here with the pipeline. I support the amendment and urge its adoption.

Ms. CHU. Mr. Chairman, I urge the House to support our amendment. The American people deserve to know.

I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, the American people have had 5 years of studies, the longest studies that have happened on any pipeline in our Nation's history. What the American public are waiting for are the jobs that go with this.

U.S. pipeline operators have safely transported oil sands crude for over 40 years. This is not a new concept. The 2011 Pipeline Safety Act further strengthens safety by increasing penalties for violations, authorizing additional safety inspectors, and granting new authorities to enforce the oil spill response plan. That was a bipartisan bill that we passed out of here just last session.

TransCanada has agreed to 57 PHMSA conditions on the pipeline's construction and operation, which is expected to make it one of the safest ever constructed. I urge a ''no'' vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. CHU).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. CHU. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. COHEN

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 113–88.

Mr. COHEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, after line 23, insert the following:

SEC. 9. OIL SPILL RESPONSE PLAN DISCLOSURE.

(a) IN GENERAL.—Any pipeline owner or operator required under Federal law to develop an oil spill response plan for the Keystone XL pipeline shall make such plan available to the Governor of each State in which such pipeline operates to assist with emergency response preparedness.

(b) UPDATES.—A pipeline owner or operator required to make available to a Governor a plan under subsection (a) shall make available to such Governor any update of such plan not later than 7 days after the date on which such update is made.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from Tennessee (Mr. COHEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. This amendment would require that TransCanada and any future owner-operator of the Keystone XL pipeline, if there be one, submit its oil spill response plan to the Governor of each State in which the pipeline operates.

I'm well aware that current law requires the Department of Transportation to maintain on file current copies of oil spill response plans and provide any person a copy of that plan. However, those copies are allowed by law to exclude certain information like specific response resources, tactical resource deployment plans, and information on worst-case scenario discharges.

I understand there are concerns about broad distribution of these plans and this proprietary information, but those concerns should not apply to Governors of the States—people like Mary Fallin and Nathan Deal, who many of us have served with—States that this very pipeline would run through. These States have the right to evaluate oil spill response plans in detail, integrate it into their respective emergency management systems, and then provide the necessary resources for appropriate emergency response plans. Reliance upon some redacted plan they would receive from the Federal Government is not adequate. People's lives and livelihoods are at stake, and locals work together on these situations.

Nor should those Governors be expected to wait until a spill has occurred when they are already in the process of sending first responders into harm's way to receive a copy of the full plan from TransCanada, which is, by law, the only time the company is required to share that unredacted version with the State government.

South Dakota was wise enough to realize the problems with these regulations. The State enacted legislation to mandate receipt of the plan prior to operation of the pipeline. The other States should not have to jump through any hoops just to obtain the information they need in order to provide appropriate emergency response to dangerous situations to protect their citizenry.

When I offered this amendment in the Transportation and Infrastructure Committee, my esteemed colleague, the Honorable Chairman SHUSTER, recognized the need to balance access to these response plans with the need to protect sensitive information from becoming public, and I think this amendment strikes that proper balance by limiting access to the Governors. He offered to work with me on the issue on a future appropriation bill, and I appreciate that kind offer. While I look forward to that partnership, and I commend the chairman for his work to address the issue on the Pipeline Safety Act of 2011, this amendment would improve this Keystone pipeline situation today. We can't wait for some possible future legislation when the likelihood of a spill and the risk to public safety is so great now.

Potential effects of a Keystone XL spill could be devastating. The truth of the matter is that this pipeline is unprecedented, it's dangerous, and there will be spills. Refraining from arming our States with readily available information in order to respond adequately and safely would not be responsible.

Mr. Chairman, I appreciate this time. This issue is important, and it demonstrates Congress's respect for Governors and State governments and the men and women who risk their lives to protect us every day, the first responders. With that, I urge my colleagues to support the amendment.

I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. DENHAM. Mr. Chairman, I reserve the balance of my time.

Mr. COHEN. I ask that we unanimously support this amendment.

I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, this is a broad issue that could affect a number of pipelines and States. We are prepared to accept this amendment, although we have general reservations

about it, and implementation must be done very carefully.

At our committee markup of H.R. 3, Chairman SHUSTER said he would work on this issue more broadly in the context of reauthorization. Despite these reservations, I'm prepared to accept the amendment.

I yield such time as he may consume to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. I appreciate the gentleman from Tennessee bringing this amendment, and I appreciate all of the time and effort that the Transportation and Infrastructure Committee has put into this. I would agree that it's reasonable; the Governors should have this. In fact, TransCanada has agreed to a variety of additional measures that would be part of this, and the Governors should have that. I agree with the gentleman's conclusion.

Mr. DENHAM. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. COHEN).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. HOLT

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 113–88.

Mr. HOLT. I have an amendment at the desk, Mr. Chairman.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

SEC. 9. ENERGY SECURITY.

This Act shall not take effect until the President determines that any crude oil and bitumen transported by the Keystone XL pipeline, and all refined petroleum products whose origin was via importation of crude oil or bitumen by the Keystone XL pipeline, will be entered into domestic commerce for use as a fuel, or for the manufacture of another product, in the United States, except in the following situations:

(1) Where the President determines that providing an exception is in the national interest.

(2) Where providing an exception is necessary under the Constitution, a law, or an international agreement.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Mr. Chairman, this amendment that I am offering on behalf of the gentleman from Virginia (Mr. CONNOLLY) and the gentleman from Massachusetts (Mr. MARKEY) simply requires that the oil transported through the Keystone XL pipeline, the refined products made from the oil as well, stay in the United States except under certain circumstances.

Now, the proponents of the Keystone pipeline, as we've heard today, say it is important for U.S. energy security. That can't be true if the oil just passes through the United States on its way to other countries, and there is nothing in the underlying legislation that would require that the oil transported through the Keystone pipeline, or the refined fuels produced from that oil, stay in the United States to benefit American consumers.

□ 1720

In fact, when the president of TransCanada, who got a sweetheart deal through this legislation, was asked whether he would commit to keeping the Keystone tar sands oil and the refined fuels in the United States, he said, no. That's why we need to adopt this amendment.

U.S. oil consumption peaked in 2005. It's declined by more than 10 percent since then. During the same period, U.S. petroleum production increased 38 percent.

So how is this balanced?

We're exporting it.

Now, that's not necessarily bad. For years, the import of oil hurt our balance of trade. But in 2011, the United States became a net exporter of petroleum products for the first time in half a century. We've exported 3 million barrels per day of petroleum products, and in 2012, exports increased to 3.2 million barrels per day.

The Keystone pipeline would transport the dirtiest oil in the world from Canada, through the United States, to refineries on the gulf coast, where it would be exported, tax-free, to foreign countries.

This is just a pipeline, about three-dozen permanent workers assigned to this pipeline. Otherwise, all we get from this is the risk of a spill.

According to the Energy Information Administration, more than 76 percent of the current U.S. petroleum exports come from the gulf coast. In fact, 60 percent of the gas, and 42 percent of the diesel produced at Texas gulf coast refineries was exported.

That fact, that the refined product will be exported, is not speculation. Look at the business plans of Valero, one of the Nation's largest refineries, which operates several facilities on the gulf coast.

Valero's 2012 annual report claims that the U.S. markets are oversupplied to the point where the company's chief executive, Bill Kless, recently said, ''There's so much oil, it's got to be moving. Our view is that it's flooding the gulf coast.''

And the solution?

Well, Valero is shipping domestically produced crude to Canada for refining under a license that allows the company to send up to 90,000 barrels a day for the next year. It's more than double what we exported to Canada last year.

That's right. One of the largest U.S. refiners in the gulf wants to massively increase exports of American crude to Canada at the same time that we are passing this legislation to send Canadian tar sands oil to the gulf coast. I would like to ask the proponents of this to explain how this makes sense.

The president of the American Petroleum Institute and the CEO of ConocoPhillips have said that we should change U.S. law to allow for the expanded exports of domestically produced oil.

Well, the re-export of crude oil is already allowed under current law. Without my amendment, crude oil that comes out of Keystone could circumvent U.S. refineries and be exported as crude. I ask my colleagues to think hard about how that helps America.

The Keystone XL pipeline would ask the United States to bear all of the environmental risk of transporting the dirtiest oil in the world without ensuring that U.S. consumers or our energy security see any benefits from this.

If the proponents of this legislation are serious about ensuring that the Keystone XL pipeline really does enhance U.S. energy security, they will vote ''yes'' on this amendment.

I yield back the balance of my time.

Mr. TERRY. Mr. Chairman, I rise in opposition and claim the time.

The Acting CHAIR. The gentleman from Nebraska is recognized for 5 minutes.

Mr. TERRY. I yield myself as much time as I may consume.

A couple of points just so we get the total picture here.

We consume, in America, about 18 million barrels of oil per day. That's what we consume domestically. We've reduced that from 20 a couple of years ago.

Now, currently, when we add or just focus on OPEC oil countries, we're importing, daily, about 4.3 million of that 18 million that we need from OPEC countries—Saudi Arabia, Venezuela—and so building this pipeline, about 800,000 barrels, is about enough to offset the heavy crude from Venezuela.

Even with this pipeline running at its maximum, we will still need to import from OPEC-level countries. So the reality is that the numbers will dictate that we have a long way to go before we're flush in oil where we could be energy independent, not dependent on OPEC. That's one of our goals here in this legislation, is to be free of OPEC oil; keep it in North America.

Now, he also mentioned, the gentleman from New Jersey, a good friend and classmate of mine, that a representative, high-level representative from TransCanada said no, we're not going to guarantee that it all won't be exported.

Well, let's put it in context. There are people who are extracting the oil out of the ground. They contract with TransCanada to transport that to the customer that will have control over it and refine it. So the common carrier in the middle has no control over the contract between the producer and the refiner. That's why he said no. They have no say-so over what the refiner does.

Now, the refiner, just basic common sense, is going to tell you that it economically is cheaper to refine the gasoline in Louisiana, Texas, Oklahoma

and Kansas, and then send out the gasoline product. And that gasoline's going to stay here domestically, maybe a small percentage. I don't know. But the reality is, economics is going to tell you that.

But here's why this amendment has to be defeated, and this is why this is just kind of an absurd amendment because it says none of that oil that's put in a barrel could be exported. None of it. None of its byproducts either.

So if you took the oil and made it into a plastic container of whatever you're exporting, you can't do that, because it's plastic made from something that came through TransCanada.

The gentleman also mentioned diesel. Even at the highest level of our dependence on OPEC oil, because of our use of gasoline as our dominant source of transportation, as opposed to diesel, which is our symbiotic relationship with Europe, where they use diesel, not gasoline, we have exported that, so we can't even continue that level of relationship, that symbiotic relationship where they send us the gasoline they don't use and we send them the diesel. We can't do that.

And as in every barrel, there will be lubricants, there will be gels, there will be other industrial uses that are exported all the time that we couldn't do here.

But what the American consumer wants is the gasoline from that. And economics, marketplace pressures, are going to tell you it's just a lot cheaper to refine it here and then send it to their gas stations, and that's what the consumer wants. That's what's going to happen.

Even the State Department said that was a fallacy that the gasoline was going to be exported.

So this is one of those amendments that sounds populist and good. But when you think it through, it's just a measure to kill the pipeline.

I urge all of my colleagues to vote ''no,'' and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HOLT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 113–88 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. WEBER of Texas.

Amendment No. 2 by Mr. WAXMAN of California.

Amendment No. 3 by Mr. JOHNSON of Georgia.

Amendment No. 4 by Mr. CONNOLLY of Virginia.

Amendment No. 5 by Mr. RAHALL of West Virginia.

Amendment No. 6 by Ms. ESTY of Connecticut.

Amendment No. 7 by Ms. JACKSON LEE of Texas.

Amendment No. 8 by Ms. CHU of California.

Amendment No. 10 by Mr. HOLT of New Jersey.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

□ 1730

AMENDMENT NO. 1 OFFERED BY MR. WEBER OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. WEBER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 246, noes 168, not voting 19, as follows:

[Roll No. 169]

AYES—246

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Bustos
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Enyart
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallego
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Hinojosa
Holding
Horsford
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maloney, Sean
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Veasey
Vela
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho

NOES—168

Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Cohen
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Garamendi
Grayson
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Holt
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moran
Nadler
Napolitano
Neal
Negrete McLeod
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—19

Clyburn
Cole
DeGette
Diaz-Balart
Flores
Herrera Beutler

Markey
Miller, Gary
Moore
Payne
Ros-Lehtinen
Roskam
Sarbanes
Sires
Speier
Westmoreland
Young (AK)
Young (FL)
Young (IN)

□ 1757

Ms. FRANKEL of Florida, Ms. McCOLLUM, Mr. SERRANO, Mrs. McCARTHY of New York, Messrs. ENGEL, LEWIS, and HOYER, and Ms. SINEMA changed their vote from ''aye'' to ''no.''

Messrs. OWENS and PEARCE, Mrs. ELLMERS, Messrs. ROE of Tennessee, ROGERS of Alabama, MULVANEY, COBLE, BROOKS of Alabama, WEBSTER of Florida, COFFMAN, ENYART, and MULLIN changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. WAXMAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. WAXMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 146, noes 269, not voting 18, as follows:

[Roll No. 170]

AYES—146

Andrews
Bass
Beatty
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Braley (IA)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Cárdenas
Carney
Cartwright
Castor (FL)
Chu
Cicilline
Clarke
Clay
Cleaver
Cohen
Connolly
Conyers
Cooper
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Deutch
Doggett
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Frankel (FL)
Fudge
Gabbard
Garamendi
Garcia
Grayson
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Higgins
Himes
Holt
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Keating
Kelly (IL)
Kennedy
Kildee
Kind
Kuster
Langevin
Lee (CA)
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Miller, George
Moran
Nadler
Napolitano
Neal
Negrete McLeod
O'Rourke
Pallone
Pastor (AZ)
Pelosi
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sinema
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—269

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Boustany
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Bustos
Calvert
Camp
Campbell
Cantor
Capito
Carson (IN)
Carter
Cassidy
Castro (TX)
Chabot
Chaffetz
Coble
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Dingell
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Enyart
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallego
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Hinojosa
Holding
Horsford
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Kelly (PA)
Kilmer
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maloney, Sean
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Paulsen
Pearce
Perlmutter
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (OH)
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sherman
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Walz
Watt
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho

NOT VOTING—18

Bonner
Clyburn
Cole
DeGette
Diaz-Balart
Herrera Beutler
Markey
Miller, Gary
Moore
Payne
Ros-Lehtinen
Sarbanes
Sires
Speier
Westmoreland
Young (AK)
Young (FL)
Young (IN)

□ 1802

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. YOUNG of Indiana. Mr. Chair, on rollcall No. 170 I was unavoidably detained. Had I been present, I would have voted "nay."

AMENDMENT NO. 3 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR (Mr. LATHAM). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. JOHNSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 239, not voting 17, as follows:

[Roll No. 171]

AYES—177

Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Cohen
Connolly
Conyers
Courtney
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Deutch
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Garamendi
Garcia
Gibson
Grayson
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moran
Nadler
Napolitano
Neal
Negrete McLeod
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Pelosi
Peters (CA)
Peters (MI)

Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—239

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Crenshaw
Crowley
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Dingell
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallego
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Larsen (WA)
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perlmutter
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho

NOT VOTING—17

Bonner
Clyburn
Cole
DeGette
Diaz-Balart
Herrera Beutler
Markey
Miller, Gary
Moore
Payne
Ros-Lehtinen
Sarbanes
Speier
Westmoreland
Young (AK)
Young (FL)
Young (IN)

□ 1807

Ms. KAPTUR changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. CONNOLLY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 176, noes 239, not voting 18, as follows:

[Roll No. 172]

AYES—176

Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Cohen
Connolly
Conyers
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Holt
Honda
Horsford
Hoyer
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moran
Nadler
Napolitano
Neal
Negrete McLeod
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Pelosi
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—239

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perlmutter
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (IN)

NOT VOTING—18

Bonner
Burgess
Clyburn
Cole
DeGette
Diaz-Balart
Herrera Beutler
Huffman
Markey
Miller, Gary
Moore
Payne
Ros-Lehtinen
Sarbanes
Speier
Westmoreland
Young (AK)
Young (FL)

□ 1811

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. RAHALL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from West Virginia (Mr. RAHALL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 238, not voting 18, as follows:

[Roll No. 173]

AYES—177

Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Cohen
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moran
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—238

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maffei
Maloney, Sean
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (IN)

NOT VOTING—18

Bonner
Burgess
Clyburn
Cole
DeGette
Diaz-Balart
Gohmert
Herrera Beutler
Markey
Miller, Gary
Moore
Payne
Ros-Lehtinen
Sarbanes
Speier
Westmoreland
Young (AK)
Young (FL)

□ 1815

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MS. ESTY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Connecticut (Ms. ESTY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 234, not voting 17, as follows:

[Roll No. 174]

AYES—182

Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Cleaver
Cohen
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—234

Aderholt
Alexander
Amash
Amodei
Andrews
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine

Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Clay
Coble
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Lee (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (IN)

NOT VOTING—17

Bonner
Burgess
Clyburn
Cole
DeGette
Diaz-Balart
Herrera Beutler
Markey
Miller, Gary
Moore
Payne
Ros-Lehtinen
Sarbanes
Speier
Westmoreland
Young (AK)
Young (FL)

□ 1819

Ms. LEE of California changed her vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 234, not voting 17, as follows:

[Roll No. 175]

AYES—182

Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Cohen
Connolly
Conyers
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Pelosi
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—234

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perlmutter
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (IN)

NOT VOTING—17

Bonner
Burgess
Clyburn
Cole
DeGette
Diaz-Balart
Herrera Beutler
Markey
Miller, Gary
Moore
Payne
Ros-Lehtinen
Sarbanes
Speier
Westmoreland
Young (AK)
Young (FL)

□ 1823

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MS. CHU

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. CHU) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 185, noes 231, not voting 17, as follows:

[Roll No. 176]

AYES—185

Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Cohen
Connolly
Conyers
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Garamendi
Gibson
Grayson
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—231

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallego
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Larsen (WA)
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (IN)

NOT VOTING—17

Bonner
Burgess
Clyburn
Cole
DeGette
Diaz-Balart
Herrera Beutler
Markey
Miller, Gary
Moore
Payne
Ros-Lehtinen
Sarbanes
Speier
Westmoreland
Young (AK)
Young (FL)

□ 1827

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. MOORE. Mr. Chair, on designated roll-call No. 169, "no;" 170, "aye;" 171, "aye;" 172, "aye;" 173, "aye;" 174, "aye;" 175, "aye;" 176, "aye."

AMENDMENT NO. 10 OFFERED BY MR. HOLT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. HOLT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 162, noes 255, not voting 16, as follows:

[Roll No. 177]

AYES—162

Andrews
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Cartwright
Castor (FL)
Chu
Cicilline
Clarke
Clay
Cleaver
Cohen
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Deutch
Doggett
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Gabbard
Garamendi
Garcia
Gibson
Grayson
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Holt
Honda
Hoyer
Huffman
Israel
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Price (NC)
Quigley
Rangel
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Shea-Porter
Sherman
Sinema
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—255

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Calvert
Camp
Campbell
Cantor
Capito
Carson (IN)
Carter
Cassidy
Castro (TX)
Chabot
Chaffetz
Coble
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Denham
Dent
DeSantis
DesJarlais
Dingell
Doyle
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Esty
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallego
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Himes
Hinojosa

Holding
Horsford
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Larsen (WA)
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Meeks
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (OH)
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (IN)

NOT VOTING—16

Bonner
Burgess
Clyburn
Cole
DeGette
Diaz-Balart
Herrera Beutler
Markey
Miller, Gary
Payne
Ros-Lehtinen
Sarbanes
Speier
Westmoreland
Young (AK)
Young (FL)

□ 1832

Mr. POLIS changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. RODNEY DAVIS of Illinois. I inadvertently voted "aye" when I intended to oppose the amendment.

The Acting CHAIR (Mr. MEADOWS). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HOLDING) having assumed the chair, Mr. MEADOWS, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3) to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes, and, pursuant to House Resolution 228, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT

Mr. BISHOP of New York. Mr. Speaker, I have a motion to recommit at the desk.

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

Mr. BISHOP of New York. In its current form, I am.

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

The Clerk read as follows:

Mr. BISHOP of New York moves to recommit the bill H.R. 3 to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following new section:

SEC. 9. REQUIREMENT THAT TRANSCANADA KEYSTONE PIPELINE, L.P. PAY FOR ANY OIL SPILL CLEANUP ON AMERICAN SOIL.

In the approval process authorized under this Act, TransCanada Keystone Pipeline, L.P. shall certify to the President that diluted bitumen and other materials derived from tar sands or oil sands that are transported through the Keystone XL pipeline will be treated as crude oil for the purposes of determining contributions that fund the Oil Spill Liability Trust Fund.

Mr. UPTON (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendment.

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

There was no objection.

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

Mr. BISHOP of New York. Mr. Speaker, the Bishop-Capps amendment is the final amendment to the bill. It will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage as amended.

Our amendment, which is similar to amendments offered during our committee markups of H.R. 3, corrects a massive loophole in current law that exempts Keystone XL pipeline tar sands from paying millions of dollars into the Oil Spill Liability Trust Fund.

Unlike U.S. crude oil companies, tar sands importers will not pay into the Oil Spill Trust Fund, even though the Trust Fund will be used to pay for any cleanup costs from an oil spill on the Keystone XL pipeline.

That's right. The Keystone XL pipeline, and all other tar sands importers, get all of the protections of the fund if they have an oil spill, but they do not have to pay a dime into it up front.

As we have seen during the Keystone debate on this floor, we can argue over the merits of tar sands oil and we can argue over the merits of granting special permit waivers to TransCanada to build the Keystone pipeline.

However, I would hope that we could all agree that this Congress should not allow the importers of Keystone pipeline tar sands to avoid the per barrel charge that all other oil companies pay to finance the Oil Spill Liability Trust Fund.

In 2011, the Internal Revenue Service concluded that the definitions of ''crude oil'' and ''petroleum product'' in the Tax Code do not clearly include tar sands. This interpretation, if allowed to stand, exempts the Keystone XL pipeline tar sands from the excise tax that finances the Oil Spill Liability Trust Fund. In short, this is a $66,000 per day tax break.

I am sure that some of my Republican colleagues will argue that H.R. 3 is not the appropriate vehicle for making this change to the law, that we should not single out Keystone XL pipeline, and that Congress should consider this change as a part of comprehensive tax reform.

To my colleagues across the aisle, I would argue that this entire bill is about singling out the Keystone XL pipeline, providing special rules and deeming permits approved for everything anyone can think of.

Our amendment will ensure that TransCanada certifies to the President that Keystone XL pipeline tar sands will be subject to the per barrel excise tax that funds the Oil Spill Liability Trust Fund, ensuring that they pay their fair share.

I yield the remaining time to this amendment's cosponsor, the gentlewoman from California (Mrs. CAPPS).

□ 1840

Mrs. CAPPS. I thank my colleague for yielding.

Mr. Speaker, whether it's drilled on land, offshore, or transported via pipeline, oil spills are inevitable. Spills happen, and they will continue to happen, regardless of what we've been told by the oil companies building and maintaining the pipelines.

TransCanada says it will implement lots of safety measures, but accidents happen. In fact, accidents have already happened 14 times on the existing TransCanada Keystone pipeline. And they will almost certainly happen on the proposed Keystone XL pipeline, too. Our amendment simply ensures that those responsible for the spill pay to clean it up.

In 1969, my home district was victim to one of the worst oil spills in U.S. history. I know firsthand the devastating damage to human health,

property, and natural resources that are caused by oil spills. I know there have been numerous assurances that Keystone XL will be safer and spill risks will be minimal, but safer simply does not equal safe, especially when transporting tar sands crude. Tar sands crude is not only more corrosive and dangerous than conventional crude, but it's far more difficult to clean up in the event of a spill.

We need look no further than the tar sands spill in Kalamazoo, Michigan, in 2010. Nearly 3 years after that spill, the cleanup is still ongoing and the costs are approaching $1 billion. A spill from Keystone could have similarly devastating impacts in America's heartland. If we're going to bear 100 percent of the spill risk as Americans, the least we can do is ensure those responsible pay to clean it up. That's all this amendment does. And I think there's broad agreement on this point.

This is our opportunity to fix the problem right now. If the Keystone XL pipeline is approved as is, the tar sands crude oil will literally get a free ride through the United States. Our amendment ends this.

I urge my colleagues to end the free ride and vote for this amendment.

Mr. BISHOP of New York. I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I rise in opposition to the motion to recommit.

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

Mr. UPTON. Mr. Speaker, a review over how to treat crude oil derived from oil sands for the purposes of the oil spill liability trust fund is one in fact that we look forward to having, but it needs to be at the appropriate place and time.

I've got to say that we are fully supportive of the goals, purpose, and funding mechanisms of the trust fund, and we believe that the allocation of fees should be done equitably among crude oil received at a U.S. refinery and petroleum products entering the U.S. for use. However, a bill or an amendment to approve a single pipeline project is not the appropriate vehicle for this debate. Frankly, it needs to be part of the tax reform bill that I'm sure that Mr. CAMP and others are going to move later on this year. I wish we could have debated this as an amendment to this bill, but we don't have that opportunity. It's simply a motion to recommit. So let's push it to the right date, and that is part of tax reform later this year.

Mr. Speaker, we have waited over 1,700 days for this project. Many of us have folks that commute 80, 90, even 100 miles a day. They need a source of gasoline. Canada provides 1.5 million barrels literally every day to the United States. They want to send as much as 6 million barrels by 2030. This is the best way to do it. Why send it by truck? Why send it by rail? Let's send it by pipeline. It's safer, more economical, and in fact it's going to help the consumer.

I remind my colleagues that 62 Members of the U.S. Senate earlier this year voted for this project. We need to do it here. Reject the motion to recommit and vote for final passage.

I yield back the balance of my time.

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

There was no objection.

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

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

Mr. BISHOP of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on the passage of the bill, if ordered.

The vote was taken by electronic device, and there were—yeas 194, nays 223, not voting 16, as follows:

[Roll No. 178]

YEAS—194

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NAYS—223

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (IN)

NOT VOTING—16

Bonner
Clyburn
Cole
DeGette
Diaz-Balart
Herrera Beutler
Hoyer
Markey
Miller, Gary
Payne
Ros-Lehtinen
Sarbanes
Speier
Westmoreland
Young (AK)
Young (FL)

□ 1850

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

CONGRESSIONAL SPORTSMEN'S CAUCUS

Mr. LATTA. Mr. Speaker, last week, the largest caucus here in the House of Representatives, the Congressional Sportsmen's Caucus, which is made up of Republicans and Democrats, had its normal yearly shoot, which consists of trap, skeet, and sporting clays, and I'm glad to say that this year the Republicans retained the trophy.

If I could, I would yield to my co-chair of the Congressional Sportsmen's Caucus, the gentleman from Mississippi (Mr. THOMPSON).

Mr. THOMPSON of Mississippi. Well, all I can say to my colleague is this time you were lucky, and I look forward to next year.

But the other thing you said is so important. The Congressional Sportsmen's Caucus is the largest caucus, bipartisan caucus, here in Congress. Those of you who are not members, we ask you to come join us. We do a lot. But for the good that we do, the good that we serve, it's a good deal.

Thank you very much.

Mr. LATTA. I thank the gentleman.

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

There was no objection.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 241, noes 175, answered ''present'' 1, not voting 16, as follows:

[Roll No. 179]

AYES—241

Aderholt
Alexander
Amodei
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Bustos
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Enyart
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maloney, Sean
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (IN)

NOES—175

Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Cohen
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Welch
Wilson (FL)

ANSWERED ''PRESENT''—1

Amash

NOT VOTING—16

Bonner
Clyburn
Cole
DeGette
Diaz-Balart
Herrera Beutler
Markey
Miller, Gary
Payne
Ros-Lehtinen
Sarbanes
Speier
Waxman
Westmoreland
Young (AK)
Young (FL)

□ 1859

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. WAXMAN. Mr. Speaker, during rollcall vote No. 179 on H.R. 3, I was unavoidably detained. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. COLE. Mr. Speaker, on rollcall No. 167, (Ordering The Previous Question on H. Res. 228, a resolution providing for consideration of H.R. 3—Northern Route Approval Act) had I been present, I would have voted ''yea''.

On rollcall No. 168, (Adoption of H. Res. 228, a resolution providing for consideration of H.R. 3—Northern Route Approval Act) had I been present, I would have voted ''aye''.

On rollcall No. 169, (Weber (R–TX) Amendment No. 1—Adds to Section 2 of the bill the State Department's findings that the Keystone XL pipeline is a safe and environmentally sound project) had I been present, I would have voted ''yea''.

On rollcall No. 170, (Waxman (D–CA) Amendment No. 2—Adds a finding that ''the reliance on oil sands crudes for transportation fuels would likely result in an increase in incremental greenhouse gas emissions'' and provides that the bill will not go into effect unless the President finds that TransCanada or tar sands producers will fully offset the additional greenhouse gas emissions) had I been present, I would have voted ''no''.

On rollcall No. 171, (Johnson (D–GA) Amendment No. 3—Requires a study on the health impacts of increased air pollution in communities surrounding the refineries that will transport diluted bitumen through the proposed Keystone XL pipeline) had I been present, I would have voted ''no''.

On rollcall No. 172, (Connolly (D–VA) Amendment No. 4—Delays approval of the Keystone XL project contingent on the completion of a threat assessment of pipeline vulnerabilities to terrorist attack and corrective actions necessary to protect the pipeline from such an attack and to mitigate any resulting spill) had I been present, I would have voted ''no''.

On rollcall No. 173, (Rahall (D–WV) Amendment No. 5—Strikes section 3 of the bill eliminating the Keystone XL permit approval, allowing the President to continue to delay issuing a permit for the pipeline) had I been present, I would have voted ''no''.

On rollcall No. 174, (Esty (D–CT) Amendment No. 6—Strikes language in the bill that allows TransCanada to obtain certain permits for operation and/or maintenance of the pipeline, but continues to allow construction permits to be expedited) had I been present, I would have voted ''no''.

On rollcall No. 175, (Jackson Lee (D–TX) Amendment No. 7—Extends the time period for filing a claim under the Act from 60 days to 1 year) had I been present, I would have voted ''no''.

On rollcall No. 176, (Chu (D–CA) Amendment No. 8—Requires a GAO study of the Keystone XL project regarding the costs of cleanup activities from a pipeline spill and the potential impacts on health, environment, and water) had I been present, I would have voted ''no''.

On rollcall No. 177, (Holt (D–NJ) Amendment No. 10—Prohibits the export of any oil, or all refined petroleum products derived from the oil, transported by the Keystone XL pipeline unless the President finds that there is an exception required by law or it is in the national interest) had I been present, I would have voted ''no''.

On rollcall No. 178, (Democrat Motion to recommit H.R. 3 with instructions) had I been present, I would have voted ''no''.

On rollcall No. 179, (On Passage H.R. 3—Northern Route Approval Act is expected; please check at the leadership desk for details) had I been present, I would have voted ''yea''.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1911, SMARTER SOLUTIONS FOR STUDENTS ACT

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 113–89) on the resolution (H. Res. 232) providing for consideration of the bill (H.R. 1911) to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013, and for other purposes, which was referred to the House Calendar and ordered to be printed.

HOUR OF MEETING ON TOMORROW

Ms. FOXX. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

IMPROVING POSTSECONDARY EDUCATION DATA FOR STUDENTS ACT

Mr. MESSER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1949) to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1949

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Improving Postsecondary Education Data for Students Act''.

SEC. 2. STUDY ON IMPROVEMENTS TO POSTSECONDARY EDUCATION TRANSPARENCY AT THE FEDERAL LEVEL.

(a) FORMATION OF ADVISORY COMMITTEE ON IMPROVING POSTSECONDARY EDUCATION DATA.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of Education shall convene the Advisory Committee on Improving Postsecondary Education Data (in this Act referred to as the ''Advisory Committee''), which shall be comprised of 15 members who represent economically, racially, and geographically diverse populations appointed by the Secretary in consultation with the Commissioner for Education Statistics, including—

(A) individuals representing different sectors of institutions of higher education, including individuals representing undergraduate and graduate education;

(B) experts in the field of higher education policy;

(C) State officials;

(D) students and other stakeholders from the higher education community;

(E) representatives from the business community;

(F) experts in choice in consumer markets;

(G) privacy experts;

(H) college and career counselors at secondary schools;

(I) experts in data policy, collection, and use; and

(J) experts in labor markets.

(2) CHAIRPERSON.—The Secretary shall appoint the Chairperson of the Advisory Committee.

(b) STUDY REQUIRED.—The Advisory Committee shall conduct a study examining—

(1) the types of information, including information related to costs of postsecondary education, sources of financial assistance (including Federal student loans), student outcomes, and postgraduation earnings, the Federal Government should collect and report on institutions of higher education to assist students and families in their search for an institution of higher education;

(2) how such information should be collected and reported, including how to disaggregate information on student outcomes by subgroups of students, such as full-time students, part-time students, nontraditional students, first generation college students, students who are veterans, and Federal Pell Grant recipients under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a); and

(3) the ways in which the Federal Government may make such information more readily available to—

(A) students and their families in a format that is easily accessible and understandable, and will aid students and their families in making decisions; and

(B) States, local governments, secondary schools, individual or groups of institutions of higher education, and private-sector entities.

(c) SCOPE OF STUDY.—In conducting the study under this Act, the Advisory Committee shall, at a minimum, examine—

(1) whether the current Federal transparency initiatives on postsecondary education—

(A) are reporting consistent information about individual institutions of higher education across Federal agencies; and

(B) are similar to transparency initiatives on postsecondary education carried out by States, individual or groups of institutions of higher education, or private-sector entities;

(2) whether—

(A) the collection and reporting of postgraduation earnings by the Federal Government is feasible, and if feasible, the options for collecting and reporting such information;

(B) collecting and reporting such information would improve the use of Federal transparency initiatives and ease decisionmaking for students and their families; and

(C) collecting and reporting such information would have an impact on student privacy, and if so, how such impact may be minimized;

(3) whether any other information, including information relating to student outcomes or identified under the review required under subsection (d), should be collected and reported by the Federal Government to improve the utility of such initiatives for students and their families, and if so, how such information may be collected and reported, including whether the information should be disaggregated by subgroups of students;

(4) whether any information currently collected and reported by the Federal Government on institutions of higher education is not useful for students and their families and should not be so collected and reported;

(5) the manner in which the information from Federal transparency initiatives is made available to students and their families, and whether format changes may help the information become more easily understood and widely utilized by students and their families;

(6) any activities being carried out by the Federal Government, States, individual or groups of institutions of higher education, or private-sector entities to help inform students and their families of the availability of Federal transparency initiatives;

(7) the cost to institutions of higher education of reporting to the Federal Government the information that is being collected and reported through Federal transparency initiatives, and how such cost may be minimized; and

(8) the relevant research described in subsection (d).

(d) REVIEW OF RELEVANT RESEARCH.—In conducting the study under this Act, the Advisory Committee shall review and consider—