

consideration the bill (H.R. 1) making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes, had come to no resolution thereon.

MAKING IN ORDER FURTHER CONSIDERATION OF H.R. 1, FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2011

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 1 in the Committee of the Whole pursuant to applicable previous orders of the House, each amendment otherwise debatable for 10 minutes instead be debatable for 6 minutes.

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

There was no objection.

FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2011

The SPEAKER pro tempore. Pursuant to House Resolution 92 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1.

□ 2213

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 further consideration of the bill (H.R. 1) making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes, with Mr. HASTINGS of Washington (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 8, printed in the CONGRESSIONAL RECORD, offered by the gentleman from Florida (Mr. STEARNS) had been disposed of and the bill had been read through page 359, line 22.

AMENDMENT NO. 377 OFFERED BY MR. FLAKE

Mr. FLAKE. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used for the construction of an ethanol blender pump or an ethanol storage facility.

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, the taxpayers have subsidized ethanol for far

too long. This amendment will simply bring that slowly to a stop.

I reserve the balance of my time.

Mr. LATHAM. Mr. Chairman, I rise in opposition to the gentleman's amendment.

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

Mr. LATHAM. Mr. Chairman, this amendment clearly limits consumer choice, and is yet another attack on our Nation's progress to try and achieve energy security. The technology that he is trying to prohibit basically would allow individuals to have a choice as to whether, what percentage plan they would want, whether E-10, E-30, E-50 or E-85, whatever suits their best needs, their affordability and their performance and gas mileage.

It would actually make us much more dependent long term on foreign oil because you are going to limit the choices that are there. And without the blender pumps that he wants to prohibit, most Americans are left with just one option, and that's the E-10.

If we continue to limit the amount of U.S.-produced ethanol we can use in our vehicles, we will be continuing to be beholden to foreign sources of energy, and we will be importing more oil every year.

I urge my colleagues to vote against this.

I reserve the balance of my time.

Mr. FLAKE. Mr. Chairman, this is not a choice at all. It's a mandate. That's why we've got to end it. It's been a boondoggle for 30 years. It remains so. Let's vote for this amendment.

I yield back the balance of my time.

Mr. LATHAM. Mr. Chairman, I will be very brief. This is limiting consumer choice; it's going to increase our dependence on foreign oil.

I would again ask my colleagues to vote against this ill-founded amendment.

I yield back the balance of my time.

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

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

Mr. FLAKE. 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 Arizona will be postponed.

AMENDMENT NO. 367 OFFERED BY MR. FLAKE

Mr. FLAKE. I have an amendment at the desk, No. 367.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. _____. None of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to provide any benefit described in section

1001D(b)(1)(c) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(b)(1)(C)) to a person or legal entity if the average adjusted gross income of the person or legal entity exceeds \$250,000.

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from Arizona and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. This amendment would be to save the taxpayers roughly \$30.5 million by preventing the funding of Radio and TV Marti.

I have decided to withdraw this amendment in the interest of time and also to work on it in committee with the gentleman from Florida. So we will enter into a colloquy for just 1 minute and go from there.

I happen to feel that we have spent hundreds of millions of dollars on Radio and TV Marti over the past 20, 25 years. TV Marti is seen by very few. The gentleman from Florida has a different view. We have agreed to scuttle the debate here and take it up in committee.

I yield to the gentleman from Florida.

Mr. DIAZ-BALART. I thank the gentleman from Arizona.

We do have a disagreement here, as I think most of us know. I obviously will continue to work on this issue.

Mr. DICKS. Will the gentleman yield?

Mr. FLAKE. I yield to the gentleman from Washington.

Mr. DICKS. Did the gentleman from Arizona say he was going to withdraw his amendment on Marti?

Mr. FLAKE. Yes.

Mr. DICKS. I was just curious to hear that. Thank you.

Mr. DIAZ-BALART. Again I will continue to work on this issue. Obviously the issue of freedom is something that I think is cherished by this House. There is a history of supporting freedom, and I know we will continue to support freedom. But we will have ample opportunity to debate this and discuss this and other opportunities.

Mr. FLAKE. I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 166 OFFERED BY MR. GUINTA.

Mr. GUINTA. 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:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available for this Act may be used to enter into, after the date of the enactment of this Act, a Government contract that requires a project labor agreement.

□ 2220

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011,

the gentleman from New Hampshire (Mr. GUINTA) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from New Hampshire.

Mr. GUINTA. Mr. Chairman, I rise in support of my amendment, a proposed ban on Project Labor Agreements, also known as PLAs.

President Obama signed an Executive order nearly 2 years ago imposing PLAs on Federal construction projects. A PLA mandates that whenever the government pays for a project, union workers must be hired for the job. This stifles competition and inflates the project's cost by steering scarce tax dollars straight into directly union pockets. The previous administration banned PLAs. And according to a study cited by the Cato Institute, the ban saved taxpayers as much as \$2.6 billion in 2008 alone.

Mr. Chairman, this is a spending reduction bill focused on saving taxpayer dollars to the tune of \$2.6 billion annually. My amendment simply states no government money can be used to pay for any project that requires a PLA. This solves a significant problem. This is not against our unions. It is about providing equal footing between union and nonunion contractors.

Considering the massive debt and deficit we are now struggling under, I feel we can't afford at this point to waste more taxpayer dollars. My goal here is to get more effective and efficient government. This amendment creates a level playing field that encourages fair and open competition for Federal construction contracts funded by this bill.

I reserve the balance of my time.

Ms. DELAURO. I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Connecticut is recognized for 3 minutes.

Ms. DELAURO. I yield myself 1 minute.

This amendment prohibits use of funds in this act for any government contract that includes a Project Labor Agreement. The amendment is nothing more than another example of a union-busting Republican agenda.

Project Labor Agreements contribute to the economy and efficiency of Federal construction projects, help keep them on time and on budget. They bring all the contractors and subcontractors to agree to a standard set of conditions from the beginning of the project. And despite all the rhetoric on the other side that PLAs increase the cost of construction projects, there is no evidence for that.

Two years ago, the Economic Policy Institute reviewed a series of studies for and against prevailing wage laws and concluded that there was no adverse impact on government contract costs.

Mr. Chairman, this is nothing else but a distraction. PLAs are nothing new. They have been used on some of the most famous consequential construction projects in our history: the

Hoover dam bypass bridge and the projects under the Tennessee Valley Authority just to name a few.

I reserve the balance of my time.

Mr. GUINTA. Mr. Chair, I would add that currently in New Hampshire, my home State, we have a Job Corps center that is slated to be built, \$35 million project, which is going to help up to 500 youth annually in the State of New Hampshire. The PLA is exactly what is stopping this project from occurring. We would like to not only expand the opportunity here in New Hampshire but across the country to get these projects moved forward, do them in a fair and equitable way.

And I also note that our friends from the Associated Builders and Contractors support this amendment, the U.S. Chamber of Commerce, the National Federation of Independent Businesses, as well as the National Black Chamber of Commerce.

I reserve the balance of my time.

Ms. DELAURO. I yield 1 minute to the gentleman from California (Mr. MILLER).

Mr. GEORGE MILLER of California. I thank the gentlewoman for yielding, and I rise in opposition to this amendment.

Contrary to what the author of the amendment has said, there is no requirement in a PLA that you have only union contractors at that. This is a time when you come together pre-project to decide how this project shall be developed, whether there will be a training project involved in this, whether there will be local hires, whether there will be participation by minority and women subcontractors and others on this.

In my area, some of the largest energy projects in the Nation are being built by worldwide companies and being built with Project Labor Agreements. In our cities Project Labor Agreements are used, and the record continues over and over again, on time, done right the first time, and it's a mix of contractors that get accepted.

There is nothing in the Executive order that requires union contractors. There is nothing in the Executive order that requires a PLA. I know, because I tried to get a few, and the administration didn't go there.

So let's not overstate the case here. It encourages them. But the fact is PLAs have worked both on public projects and on private projects very, very well.

Mr. GUINTA. Mr. Chairman, I would simply reiterate that the study pointing to 2008 shows the ban on PLAs saved taxpayers \$2.6 billion. Let's allow all small business owners throughout our country to go after these types of projects. It's fair and it's equitable.

I reserve the balance of my time.

Ms. DELAURO. I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Chairman, I rise in opposition to this amendment because I believe it's based upon two false premises. The first is that evidence shows that contracts performed under PLAs are not as efficient. The data simply don't exist that show that. And second is the implication that this is somehow a politically connected decision by governments to reward building trades unions.

First of all, it doesn't have to be a union contractor. And second, and I think most importantly, all kinds of nongovernmental users use PLAs: the Disney Corporation, Inland Steel, ARCO, Boeing, Harvard University. These are all institutions and companies that use PLAs because they believe they are a good, sound business judgment.

Why should the Federal Government of the United States be precluded from exercising a similar sound business judgment? This is a poorly thought-out amendment, and the right vote is "no."

Mr. GUINTA. Mr. Chairman, I finally reiterate this proposal is a spending reduction bill to the tune of approximately \$2.6 billion annually in savings. It allows our small business owners and subcontractors to bid on projects across our Nation, get them back to work. I would ask my colleagues to vote in favor of the Guinta amendment.

Ms. RICHARDSON. Mr. Chair, I rise in strong opposition to the Guinta Amendment (#166), which prohibits the government from entering into any contract that requires a project labor agreement (PLA). I oppose the amendment because prohibiting the use of PLA's cannot assure savings to the taxpayers.

Project labor agreements, also known as Community Workforce Agreements are not new and contain several benefits: PLA's normally include a local hire component; PLA's establish and set a fair wage; PLA's avoid labor disputes and construction delays; under PLA's, workers are trained to perform required work safely and correctly.

Mister Chair, a project labor agreement establishes the terms, conditions, and safety standards for workers on construction projects. One of the major advantages of a PLA is that because it is an agreement negotiated prior to construction, there is minimal, if any, disruption in the construction schedule arising from contract disputes. This saves taxpayers money and at the same time providing jobs offering steady employment at livable wages to local communities where the need is greatest.

PLA's establish rigorous safety standards that save time and save lives. There is absolutely no evidence that PLA's increase the cost of construction projects; instead properly trained workers improve product quality which saves taxpayers money.

Finally, Mr. Chair, I urge my colleagues to vote against the Guinta amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Hampshire (Mr. GUINTA).

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

Mr. GUINTA. 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 Hampshire will be postponed.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. DICKS. I yield to the gentleman from Vermont.

Mr. WELCH. I thank the gentleman from Washington.

I stand here today to discuss the Yellow Ribbon Program, which is critical in my home State of Vermont, but it's critical in every State that has returning soldiers from Afghanistan and Iraq.

In Vermont, we have recently welcomed home 1,500 National Guard men and women from a year-long deployment in Afghanistan. The Yellow Ribbon Program, as you know, Mr. Ranking Member, helps deploying and redeploying National Guard and Reserve members and their families when they get home.

Prior to deployment, they educate members and their families in affected communities on what to expect while their loved ones are gone. After deployment, they focus on reconnecting members and their families with service providers such as TRICARE, the Department of Veterans Affairs and Judge Advocate Generals to ensure a clear understanding of the benefits they are entitled to and they need. In addition, combat stress and transition and how members and their families can address these issues are integral to the post-deployment phase.

In Vermont, we have the fourth highest per capita participation rate in the Nation in the National Guard. These are very valuable services that get to the heart of supporting our troops and their families. I hope to work with the subcommittee to ensure that any unmet needs of this program are addressed as expeditiously as possible.

Mr. DICKS. I thank the gentleman from Vermont.

I yield to the chairman of the Defense Subcommittee, our good friend, Mr. YOUNG.

Mr. YOUNG of Florida. Mr. Chairman, in the interest of time, I will simply say we support this program. The former chairman, Mr. DICKS, supports it. The present chairman, Mr. YOUNG, supports it.

The committee added additional funding for the program. Florida National Guard had an extremely large return home from the 53rd Combat Brigade Team. We understand the importance of the program. We support what the gentleman is asking and will continue to work with the gentleman.

□ 2230

Mr. DICKS. I thank the chairman.

I agree that the Yellow Ribbon Program has been a top priority of the

subcommittee. We have worked tirelessly to ensure our brave men and women and their families are taken care of when they are serving the Nation. I too will work with the gentleman from Vermont and the gentleman from Florida to ensure the needs of our troops and their families are met.

I yield back the balance of my time.

AMENDMENT NO. 495 OFFERED BY MR. HALL

Mr. HALL. I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title) insert the following new section:

SEC. 4002. "None of the funds made available by this act may be used to implement, establish, or create a NOAA Climate Service (NCS) as described in the 'Draft NOAA Climate Service Strategic Vision and Framework' published at 75 Fed. Reg. 57739 (September 22, 2010) and updated on 12/20/2010."

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from Texas and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HALL. My amendment would prohibit the National Oceanic and Atmospheric Administration, or NOAA, as we call them, from creating or implementing a National Climate Service. The release of the President's FY 2012 budget request this week included a significant reorganization of NOAA, the largest since it became an agency in 1970. This is an action that they took, ignoring congressional requests to cease and desist. The new line office will take vital resources from the Oceanic and Atmospheric Research Office, essentially gutting fundamental research at NOAA and shifting the main focus of the agency to climate. This shift threatens to harm important NOAA activities, such as helping with the restoration of the Gulf of Mexico to pre-spill conditions.

These present day concerns require attention and focus. As it is, this continuing resolution is going to force NOAA to make some official and very difficult decisions with respect to priorities. As a matter of policy, NOAA has not even requested funding for the Climate Service in FY 2011. However, we are aware that implementation of the Climate Service is already underway in the form of significant planning, transitioning, and reorganization of resources. My amendment would ensure that NOAA does not move forward with this reorganization without congressional consideration and approval, specifically from the authorizing as well as the appropriating committees.

My amendment does not cut NOAA's budget and is not an attempt to hinder the agency from providing useful and authoritative information but, rather, to communicate congressional priorities when it comes to public safety and economic prosperity. And they're

not above complying with congressional requests. I urge Members to support the amendment.

I reserve the balance of my time.

Mr. FATTAH. I rise in opposition to the amendment.

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

Mr. FATTAH. One, this is a budget-neutral reorganization of NOAA. Two, a third of our gross domestic product requires accurate information in terms of climate and weather conditions. And the third and most important point, this reorganization, this Climate Service would allow the private sector to get data that NOAA is already collecting and use it to better forecast for their activities.

I would like to yield 1 minute to the gentleman from the great State of California, the ranking member on the Agriculture Subcommittee, Mr. FARR.

Mr. FARR. Mr. Chairman, I rise in strong opposition.

If any of you live in coastal communities, you want to oppose this bill. Ocean acidification is a real threat to this Nation. Climate change is happening, and the ocean is where climate is born. The coast of California is seriously considering all of what the rising oceans will do to the economic value of the most valuable coastal property in the United States.

So you don't want to take out the partner in working with State and local governments on these issues. If tourism is in your community, if fishing is in your community and, in fact, educational institutions. Yesterday, hundreds of high school students from all over the United States were here working, showing their science projects on ocean acidification. They won awards from government entities and nonprofit entities. Their future is about studying these issues. This is the kind of program that we want to invest in. Smart technology, smart energy, that is the way we are going to handle this problem in the future. Those are jobs.

"No" on this amendment.

Mr. HALL. I yield 1 minute to the gentleman from Georgia, Dr. BROUN.

Mr. BROUN of Georgia. I thank the chairman.

This is a half-baked idea. The chairman and I have written NOAA over and over again trying to get information. It has not come before our Science Committee. It has not been vetted. It may be a good idea; it may not be.

I ask that Members of this body vote "yes" so that the Science, Space, and Technology Committee can look at this issue, can talk to NOAA, can find out all about it. It's not going to prevent people from getting climate information or weather information. We should not launch out into something when we don't know what the consequences, or even what may be bad consequences, of this might be.

So we need to support this amendment. Please vote "yes" so that the

Science Committee can come and totally vet it, find out what NOAA's doing, as we should. We have the jurisdiction in the Science, Space, and Technology Committee, so it's absolutely important for us to do this without NOAA just launching off on its own.

Mr. FATTAH. How much time do I have left?

The Acting CHAIR. The gentleman from Pennsylvania has 1½ minutes remaining.

Mr. FATTAH. Thank you.

This is a budget-neutral reorganization that will allow private business to get data that NOAA has already collected. That's all it is. It's critically important information for those businesses. And a third of our gross domestic product is reliant on good information about climate so that they can have it. It's transparency, it makes sense, and it's budget neutral.

Mrs. DAVIS of California. Mr. Chair, I respect the gentleman's interest in the issues before NOAA.

But I will have to oppose this effort.

Representative HALL's amendment sends the wrong message about the need to meet the growing demands of our nation's businesses and communities for reliable and relevant climate information.

Some of us might disagree on the extent climate change is taking place.

But to discourage research is a big mistake.

Regardless of your opinion, timely and relevant climate information benefits communities, local governments, and businesses.

A significant portion of the success of the U.S. economy depends on accurate weather and climate information.

Local governments in my home region of San Diego are planning for future trends or changes to sea levels—and NOAA's research is critical to their work.

This amendment also sets poor precedent and policy.

NOAA is implementing an internal, budget-neutral organizational structure with the Climate Service office.

Using a budget CR to restructure an agency without input or sufficient debate is questionable.

Major restructuring efforts should be well thought out and involve study.

Let the scientists and the researchers decide what's worthy of their attention.

I ask my colleagues to oppose this amendment.

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

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

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

Mr. DICKS. 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. 233 OFFERED BY MR. KUCINICH

Mr. KUCINICH. 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:

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available by division A of this Act may be used for the missile defense program of the Department of Defense.

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from Ohio (Mr. KUCINICH) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. KUCINICH. Mr. Chairman, my amendment would prohibit funds authorized in H.R. 1 to be used for the missile defense program at the Department of Defense. The amendment does not cut overall defense spending but merely places a limitation on spending on the hapless and hopeless missile defense system.

According to the Congressional Research Service, the U.S. has spent over \$150 billion on ballistic missile defense since 1985, and there is no working, reliable missile defense system to show for all that investment. H.R. 1 dedicates approximately \$10 billion more for ballistic missile defense.

Some have argued that such systems are necessary for national security. In fact, no missile defense system under development has ever passed an unrigged test. According to experts at CRS, the performance in wartime for our newest capabilities is unknown. In December of last year, our ground-based interceptors known as GMDs failed the test again, a test that cost \$100 million.

According to the Union of Concerned Scientists, the United States "is no closer today to being able to effectively defend against long-range ballistic missiles than it was 25 years ago." Missile defense systems are unproven and unworkable. They are worthless as national security.

But even though we have never in 25 years created a missile defense system that worked, our misguided commitment to spending billions on this failed program is having a counterproductive effect with other countries. Both the Bush administration and the Obama administration have mistakenly argued and insisted that the ballistic missile defense system is solely for deterrence and protection against potential future threats. This argument contradicts logic. Missile defense concepts are perceived by both our foes and allies as defensive threats. If we increase our arsenal, we encourage other countries to increase theirs.

I want to conclude by saying that when will Congress act appropriately in response to the record of failure in missile defense? Shouldn't we apply the same standard to missile defense as we apply to our schools and No Child Left Behind? If you can't pass the test, then you lose your funding.

□ 2240

I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. YOUNG of Florida. Mr. Chairman, the Kucinich amendment totally ignores the reality of the real threat against our troops, our allies and our deployed forces. It basically destroys our missile system. And as we know, the enemies and the potential enemies have continued to develop their offensive missiles. We just cannot do this. This is one of those amendments you just can't do.

I would like to yield at this time 1 minute to the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. This amendment is so 1980s. It's when Ronald Reagan proposed STAR Wars and the Democrats were opposed, and we're well past that. Missile defense now has total bipartisan support. President Clinton pursued it, President Obama pursued it and both of the Presidents Bush pursued it. We know two things—the threat is real, and the system works. The gentleman from Ohio said this hasn't passed 100 tests. Well, we haven't funded 100 tests. It is absolutely a system that works and is needed.

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

Mr. KUCINICH. Could I ask the Chair how much time remains.

The Acting CHAIR. The gentleman has 1 minute remaining.

Mr. KUCINICH. I would just like to say in response to my friends that my amendment will correct a bipartisan error and, second, that you can't destroy a missile system that doesn't work.

I will just conclude by saying that Philip Coyle, a former Assistant Secretary of Defense, has said the national missile defense system has become a theology in the United States, not a technology. We may have faith that it works, but we are taught that we have to justify our faith by good works. They don't have any good works connected to this.

Mr. YOUNG of Florida. Mr. Chairman, we're talking about the Patriot missile system, we're talking about the Aegis missile system, and we're talking the Arrow system that we cooperate with Israel for their protection. We're talking about basic defense of our troops in the field who are in harm's way anyway. You just can't do this.

Mr. KUCINICH is my friend. He is not always right. He is not always wrong, but he is wrong tonight. And this is just not something that we can tolerate. Our military would never stand for this. We're not going to approve this amendment, Mr. Chairman.

I yield back the balance of my time.

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

The amendment was rejected.

AMENDMENT NO. 141 OFFERED BY MS. LEE

Ms. LEE. Mr. Chairman, I rise as the designee of the gentleman from California (Mr. STARK) to offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ (a) None of the funds made available by division A of this Act for any account of the Department of Defense (other than accounts listed in subsection (b)) may be used in excess of the amount made available for such account for fiscal year 2008.

(b) The accounts exempted pursuant to this subsection are the following accounts in division A:

(1) Military personnel, reserve personnel, and National Guard personnel accounts of the Department of Defense.

(2) The Defense Health Program account.

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentlewoman from California (Ms. LEE) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LEE. Mr. Chairman, I offer this amendment today along with Mr. STARK, Ms. WOOLSEY, Ms. LORETTA SANCHEZ, Mr. NADLER and Mr. POLIS.

Our amendment would reduce appropriations for the Department of Defense in this bill to fiscal year 2008 levels. If you want to cut domestic spending to 2008 levels, you can't exempt defense.

I want to thank Representative STARK for this amendment and for his leadership in promoting an end to the era of unlimited spending and no accountability at the Pentagon. Unfortunately, this week my colleagues on the other side of the aisle are proposing an economic blueprint that would slash Federal investment in our Nation's infrastructure, education system, health care and programs to meet basic human needs and to create jobs. These cuts, trumpeted as a means of long-term deficit reduction, come at a time of severe economic distress for American families.

Earlier this year, the House passed a resolution to reduce non-security domestic spending to 2008 levels. This amendment gives us a chance to put our money where our mouths are. It simply says that defense spending should be reduced to 2008 levels. If we are serious about getting our fiscal house in order, then we need to apply the same rules, mind you, to defense as non-defense discretionary spending.

I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. YOUNG of Florida. Mr. Chairman, this year we have already done something unusual. We have reduced the defense budget by \$14.8 billion al-

ready in this bill. To reduce the defense funding to 2008 levels would cut over \$50 billion from the DOD—severely impacting both our troops on the ground and jeopardizing national security.

Now, if you want to reduce or cancel training for our troops that are coming home from the war, then you would vote for this amendment. If you want to cancel Navy training exercises, then you would vote for it. If you want to reduce Air Force flight training hours, you would vote for this. If you want to delay or cancel maintenance of aircraft, ships and vehicles, then you would vote for this. If you want to delay important safety and quality-of-life repairs to facilities and barracks, then you would vote for this.

But I don't support any of that. And I don't think most of our colleagues support any of that. And a time of war is not the time to be withdrawing from our national defense capability, the readiness and security of our Nation.

I reserve the balance of my time.

Ms. LEE. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I have to express my absolute bafflement at the debate we've been having all week in this Chamber.

My colleagues on the other side of the aisle wax on and on about how we have to restore fiscal discipline and cut all kinds of very necessary programs to the bone. Yet they won't even bring to our debate one of the most costly expenses we have in this country, and that's Afghanistan. This war in Afghanistan has cost us nearly 1,500 American lives and the taxpayers a staggering \$379 billion and counting.

Yet during this debate, the majority, which is enthusiastic in its support for more and more Afghanistan war spending, wants to eliminate a homeless veterans initiative. That's their approach. Send our brave men and women halfway around the world to be chewed up and traumatized, then pull the plug on the support they need when they get home. That's what they call supporting the troops.

We need to cut that expense.

Mr. YOUNG of Florida. Mr. Chairman, can I inquire as to how much time I have remaining.

The Acting CHAIR. The gentleman has 1 $\frac{3}{4}$ minutes.

Mr. YOUNG of Florida. Mr. Chairman, I yield the balance of my time to the former chairman of the subcommittee, the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Thank you, Mr. Chairman.

I want to rise in strong opposition to this amendment. First of all, working together on a bipartisan basis for the first time, we cut nearly \$15 billion from the Obama budget request in 2011 for defense, and we did it on a very careful basis.

This amendment would add another \$56 billion to that cut. It would do damage to all of our acquisition pro-

grams. It would threaten the people in Iraq and Afghanistan and our efforts to conduct the global war on terrorism. So, again, I hope that on a very strong bipartisan basis we can reject this amendment.

□ 2250

Ms. LEE. How much time do I have remaining?

The Acting CHAIR. The gentlewoman from California has 30 seconds remaining.

Ms. LEE. Let me just say in closing that the bipartisan sustainable defense task force report released last year identified at least \$1 trillion in cuts over the next 10 years without sacrificing our strategic capabilities.

According to the GAO, major weapons programs have suffered from \$300 billion in cost overruns, and in fact, it's time to end this war in Afghanistan. These wars in Afghanistan and Iraq are costing the taxpayers \$1 trillion. We know al Qaeda is not in Afghanistan, and we need to put our money where our mouth is. Cut the defense budget the same way we're talking about cutting non-discretionary.

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

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

Ms. LEE. 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. 109 OFFERED BY MR. GRIFFITH OF VIRGINIA

Mr. GRIFFITH of Virginia. 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:

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act to the Environmental Protection Agency, the Corps of Engineers, or the Office of Surface Mining Reclamation and Enforcement may be used to carry out, implement, administer, or enforce any policy or procedure set forth in—

(1) the memorandum issued by the Environmental Protection Agency and Department of the Army entitled "Enhanced Surface Coal Mining Pending Permit Coordination Procedures", dated June 11, 2009; or

(2) the guidance (or any revised version thereof) issued by the Environmental Protection Agency entitled "Improving EPA Review of Appalachian Surface Coal Mining Operations under the Clean Water Act, National Environmental Policy Act, and the Environmental Justice Executive Order", dated April 1, 2010.

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from Virginia (Mr. GRIFFITH) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GRIFFITH of Virginia. Mr. Chairman, amendment 109 is a timeout on the EPA. The EPA and its guidelines for the water quality coming out of mines issued on April 1, 2010, came up with a conductivity test, a test which did not go through the Administrative Procedures Act, a test which is relying on science which is not yet fully accounted for or reliable. In fact, in the document, in 31 pages, they use words like “expect” and “anticipate” what the science will be on 27 of those 31 pages.

Mr. Chairman, President Johnson had a war on poverty. There are some in my district and in Appalachia who believe that President Obama and his EPA have a war for poverty in the Appalachian region.

That conductivity test is so severe that the distilled water would pass, the Deer Park would pass, the Fiji is just barely going to make it outside of the zone of question, but Evian water that you purchase to drink would not pass. Perrier water that you purchase to drink would not pass. It's not good enough. And Pellegrino is not good enough either.

There is a bumper sticker that is very popular now in my district. It says if you think coal is ugly, wait until you see poverty. There are some who believe—and I think that there are some in Washington who think—that southwest Virginia and other parts of Appalachia should just be a giant park for rich folks to visit, and that those of us who live there, the folks in Washington think, ought to be happy to have the jobs changing the sheets for the rich folks.

Ladies and gentlemen, that is not good enough and this amendment should pass, and we should put a stop to this regulation.

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. GRIFFITH of Virginia. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. I want to congratulate the gentleman. This amendment is well-deserved, and it's exactly the right thing to do. I appreciate the gentleman taking up the fight to save the jobs in Appalachia—in Virginia and Kentucky, West Virginia, Ohio, and the other States where coal is mined. This administration declared war on coal when they took office and they're trying to carry it out. I appreciate the gentleman carrying the fight.

Mr. GRIFFITH of Virginia. Thank you.

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

Mr. MORAN. I rise in opposition to the amendment.

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

Mr. MORAN. Mr. Chairman, this is the second of three amendments designed to kill regulation of mountaintop mining. The amendment would prevent EPA from working with other Federal agencies and mining compa-

nies to ensure that mountaintop mining is carried out in a manner that protects public health, the environment, and the economy using the best available science.

Mountaintop surface mining removes entire mountaintops to access the coal underneath but then deposits toxic mining waste in nearby streams. Practices not carried out carefully and responsibly can be devastating to the environment and to local economies.

There's been longtime uncertainty regarding what laws applied, uncertainty about which Federal agencies to work with, and uncertainty about potential liability. This uncertainty was eliminated when Interior, EPA, and the Corps of Engineers agreed to work with mining companies and implement a common procedure for reviewing permits. And it was with the goal of—and I quote—to strengthen the Appalachian regional economy and to lay out common procedures on mountaintop mining.

This memorandum of understanding brought clarity for all the parties—States, mining companies, environmentalists, and Federal agencies—so that mining could move forward. But what we have here is an effort at good government punished by legislators with an ax to grind. Agencies are punished for not working together. Then when they do, we punish them for working together.

Permit reviews will just take longer and the process will be more confusing to companies because this amendment won't change the law. This amendment could extend the mining company's permit process for years and cost them hundreds of thousands of dollars in delays. That's why this amendment should be defeated.

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

Mr. GRIFFITH of Virginia. Mr. Chairman, how much time do I have left?

The Acting CHAIR. The gentleman has 30 seconds remaining.

Mr. GRIFFITH of Virginia. Mr. Chairman, this amendment will not bring jobs. It will take our \$60,000-a-year-plus jobs and give us either unemployment or part-time jobs at minimum wage, and what's interesting is, the data that we do have shows that there's a greater biodiversity after mountaintop mining than there was before.

I reserve the remainder of my time.

Mr. MORAN. How much time do I have remaining, Mr. Chairman?

The Acting CHAIR. The gentleman has 30 seconds remaining.

Mr. MORAN. Well, the point is we have three agencies responsible for this permitting function. They weren't necessarily working together. Now, they're working together. We have a memorandum of understanding. They know that their goal is to strengthen the Appalachian regional economy, and to work with all the parties to bring them together. That's what memorandum of understanding says.

This amendment eliminates all the progress that has been achieved. They were attempting to promote good government and a good relationship with the mining companies. It's not going to happen. If this amendment goes through, this amendment kills that memorandum of understanding. The law remains, but they can't cooperate now if this amendment was to pass.

The Acting CHAIR. The time of the gentleman has expired.

Mr. GRIFFITH of Virginia. Mr. Chairman, again, this, if not passed, will bring us unemployment, not a good economy. Thank you.

I yield back the balance of my time.

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

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

Mr. MORAN. 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. 548 OFFERED BY MR. JONES

Mr. JONES. 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:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used to develop or approve a new limited access privilege program (as that term is used in section 303A the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853a) for any fishery under the jurisdiction of the South Atlantic, Mid-Atlantic, New England, or Gulf of Mexico Fishery Management Council.

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from North Carolina (Mr. JONES) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. JONES. Mr. Chairman, this amendment would prohibit the Federal Government from spending millions of taxpayers dollars expanding job-destroying catch shares programs in fisheries along the Atlantic seaboard and the Gulf of Mexico.

Mr. Chairman, I have two cosponsors of this legislation. I yield 1 minute to Mr. PALLONE from New Jersey.

Mr. PALLONE. Mr. Chairman, the fishing industry is a crucial part of our Nation's economy, and catch shares pose a serious threat to the vitality of the fishing industry. Catch shares is a system where fishermen have to buy the right to fish, and only those who buy this right are given the opportunity to catch a portion of fish. I don't believe any fisherman should have to buy the right to go fishing.

□ 2300

What is perhaps most concerning is NOAA's use of important cooperative

research and monitoring funds in a carrot-and-stick operation that pressures regional fisheries management councils to adopt catch share programs.

Mr. JONES' amendment would simply prevent NOAA from spending funds to push another restrictive management system before they get the current system right. Despite our calls on NOAA to make programs that gather scientific data and keep fisheries open their priority, NOAA has failed to listen. And that is why I urge my colleagues to support this amendment by Mr. JONES.

Mr. JONES. Mr. Chairman, at this time I would like to yield 1 minute to the gentleman from Massachusetts (Mr. FRANK), also a cosponsor of this amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, in the Magnuson Act renewal of 2006, we set up a procedure whereby there can be a referendum in each fishery to do the equivalent of catch shares. NOAA's getting around that. There are some places I'm told where people like that.

The procedure under the Magnuson Act whereby they can, by referendum, impose that remains available but it would require the approval of the men and women in the fishery. In much of the east coast, people don't like that. And what NOAA is doing is going around that referendum requirement by a new thing which they call catch shares. They can do the equivalent in another way.

I am particularly puzzled to have in the Obama administration people tell us, Well, it's okay. What it does, of course, is to lead to consolidation. They say it's the same amount of income, but it goes to a small number of larger entities, and the smaller individuals are frozen out. And in the area that I represent, the fishing industry doesn't want it.

So what I hope we would do is—and the gentleman's amendment does not affect that part of the Magnuson Act that would allow referenda, so that when the fishery, where the fishermen like it, they can get a system of quotas, and they can get a system of the transferable quotas. And that's what's in the Magnuson Act, transferable quotas with a referendum because they couldn't—NOAA was insisting on imposing that over the objection of fishermen. They've come up with a new system called catch shares. That's what we're banning. We leave the referendum process in place.

Mr. MORAN. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. MORAN. Mr. Chairman, these programs put together by the National Oceanic and Atmospheric Administration are designed to replenish diminishing fish stocks. They assign shares to individuals, cooperatives, other fishing communities, because what we have seen that has resulted in depleted

fish stocks and overfishing is a race to fish where the concern is that the stock is being depleted. And so they run out to get what's left.

NOAA is trying to intervene and equitably divide up what's left, what we scientifically understand is left, and try to cooperate.

Now, I can understand there are many fishing communities that don't want NOAA's intervention. But NOAA has been successful in ensuring sustainable fisheries and preventing overfishing and creating more stable and lucrative fishing jobs in communities from Alaska to Florida. And they bring a lot of economic and biological benefits. They eliminate what many think are dangerous races to fish, or what are called "derby" conditions, and they improve safety for fishermen.

NOAA seems to know what they're doing. Where they've done it, it's been successful. I think we should look to the experts and understand that we've got to have greater sustainability of our fishing stock.

How much time do I have at this point, Mr. Chairman?

The Acting CHAIR. The gentleman from Virginia has 1½ minutes.

Mr. MORAN. I yield 1 minute to the gentleman from California (Mr. FARR).

Mr. FARR. Thank you for yielding.

I represent a lot of fishermen in the west coast in California and up the west coast all the way up to Alaska. The catch share program has worked very well.

The reason you have it is, one, you only have two systems in fishing—you have a season and you have a limit or quota. The pounding of all of the boats going at the same time regardless of weather is a very risky thing. Now we've given that up to share. We give shares to boats.

So what happens if you're a small fisherman in a small boat, you've got a share. You've got your right. You can go out when you want to. Not just when the weather is really foul and may be dangerous. People like this. It's sustainable. They can get loans on their boats. They know they've got all kinds of certainty that they've never had before.

To wipe this out, it may be uncomfortable in some other communities, but if you'd much rather direct it, if you want to get mad, do it to those communities because wiping it out this way, you're going to really hurt where it works. And where it works, it works really well. So please oppose this amendment.

Mr. JONES. Mr. Chairman, in closing, I must say this is an east coast issue. That's why you have Mr. PALLONE and Mr. FRANK and myself speaking.

And with that, the fishermen on the east coast need fairness from their government, and this amendment will help give fairness to the commercial and recreational fishermen on the east coast of America.

I yield back the balance of my time.

Mr. MORAN. Well, Mr. Chairman, I can understand where my very good friends are coming from. They represent a lot of professional and very responsible fishermen. And I know they know what they're talking about. On the other hand, NOAA does, too.

And NOAA has been successful. They have been successful from Alaska to Florida in allocating assigned limits to various fishing entities that were at serious risk of losing their fishing stock.

Mr. FRANK of Massachusetts. Will the gentleman yield?

Mr. MORAN. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. When you get from Alaska to Florida, don't you have to pass Massachusetts, New Jersey, and North Carolina? Because the three of us think it's a terrible idea.

Mr. MORAN. Reclaiming my time, the point is, NOAA's objective is to sustain the fish supply so that these fishermen will continue to have jobs—not just now but in the future and for their children and grandchildren. That's NOAA's objective. That's why I think we should reject the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. JONES).

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

Mr. JONES. 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 North Carolina will be postponed.

AMENDMENT NO. 47 OFFERED BY MR.

LUETKEMEYER

Mr. LUETKEMEYER. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used for the study of the Missouri River Projects authorized in section 108 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (division C of Public Law 111-8).

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from Missouri (Mr. LUETKEMEYER) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. LUETKEMEYER. Thank you, Mr. Chairman.

My amendment would eliminate funding for the Missouri River Authorized Purposes Study, also known as MRAPS.

This \$25 million study was originally earmarked under the guise of a review of the 1944 Flood Control Act and relevant court rulings to determine if current authorized project purposes are contemporary.

MRAPS comes on the heels of another comprehensive \$35 million, 17-year study completed in 2004 that showed that the current authorized purposes are appropriate and do not need to be altered.

For river communities, few issues are as important as water supply, power, and navigation. This study puts in jeopardy the flow of the lower Missouri and Mississippi Rivers, which would have devastating consequences for navigation and transportation along those rivers and result in barriers for agriculture, waterways operations, and every product that depends on the Missouri and the Mississippi Rivers to get to market.

MRAPS is duplicative and wasteful of taxpayer dollars. We've already spent \$35 million to examine the Missouri River Master Manual. After 17 years, hundreds of public meetings, and countless lawsuits, the U.S. Army Corps of Engineers concluded that the current uses of the river are appropriate.

It is careless and irresponsible to conduct another multiyear, multi-million dollar study at taxpayers' expense, particularly given the dire state of our Nation's economy.

□ 2310

Mr. Chairman, I yield 1 minute to the gentlewoman from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Mr. Chairman, I wholeheartedly support this amendment, which saves taxpayers from funding a duplicate study which is unnecessary, wasteful, and ill-advised.

The Corps of Engineers just completed a 15-year study at a cost of \$35 million. The Missouri River Master Water Control Manual has been published, and businesses, municipalities and utilities have been planning accordingly. There is no need to restudy the issue of the Missouri River again at an additional cost of \$25 million.

Farmers, businesses and cities in Missouri's Fourth Congressional District support this amendment, and I urge my colleagues to support this commonsense proposal.

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

Mr. PASTOR of Arizona. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. PASTOR of Arizona. To my colleague from Missouri, I would tell him that the objective of this amendment has pretty much been accomplished. The last funding that occurred for this study was in, I think, 2009, which was an earmark. So now that earmarks have been eliminated in the CR and eliminated for the future, you would not have that funding as a possibility for this study. Also, the administration has not put any money in its budget, so therefore there is no money in the budget. So for all practical purposes, the funding for the study is not going

to continue. So therefore, it's very unlikely that the funding level provided in the bill will receive anything more than the amount to close the study.

And I would tell my friend that the reason I oppose it is that this language I think may be unnecessary because it may impact the orderly termination of the study. And that's why I rise in opposition, because I believe since this study, at least in my opinion, has been terminated, that we at least go through an orderly order with the funding that's available so we can have an orderly termination.

I reserve the balance of my time.

Mr. LUETKEMEYER. With all due respect to the gentleman, I would appreciate some certainty, and I think that's what the purpose of this amendment is all about.

You indicate that it's still in existence; it's still being funded. We want it out. We don't want it funded any longer. The purpose of it is duplicative. The study has been done before. And I think it's time that we called a stop to it.

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

Mr. PASTOR of Arizona. Well, I think I heard the gentleman tell me that the last time the study occurred was in 1944. And because earmarks are no longer the practice and the administration is not providing any funding, it's my belief and my opinion that this study will not go further, and the few dollars that may be left from the former earmark will be used to terminate the study in an orderly fashion.

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

Mr. LUETKEMEYER. Mr. Chairman, the last study was done, completed in 2004 at a cost of \$35 million. It took 17 years, and now we want to do it again. I don't believe it's appropriate for our taxpayer dollars to be used in this manner.

And with that, I ask for the support of the body.

I yield back the balance of my time.

Mr. PASTOR of Arizona. Again, I would ask my colleagues to vote "no" on this amendment because the objective of the amendment has pretty much been met. There is no funding available to continue it. The few dollars that remain will only be used to terminate the study in an orderly manner. That's the proper way of doing it, and I would ask my colleagues to vote "no" on the amendment.

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

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

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

Mr. LUETKEMEYER. 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 Missouri will be postponed.

AMENDMENT NO. 149 OFFERED BY MR. LUETKEMEYER

Mr. LUETKEMEYER. Mr. Chairman, I have another amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used for contributions to the Intergovernmental Panel on Climate Change (IPCC).

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from Missouri (Mr. LUETKEMEYER) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. LUETKEMEYER. Mr. Chairman, this amendment would prohibit U.S. contributions to the United Nations Intergovernmental Panel on Climate Change, an entity that is fraught with waste and engaged in dubious science. The IPCC advises governments around the world on climate change, and supporters of cap-and-trade legislation have used the questionable science, the findings of the IPCC, as reasons to support onerous legislation.

Criticism of this science intensified over the last 2 years when emails publicly released from a university in England showed that leading global scientists intentionally manipulated climate data and suppressed legitimate arguments in peer-reviewed journals. Researchers were asked to delete and destroy emails so that a small number of climate alarmists could continue to advance their environmental agenda.

Since then, more than 700 acclaimed international scientists have challenged the claims made by the IPCC in this comprehensive, independent 740-page report. These 700 dissenting scientists represent some of the most respected scientific institutions at home and around the world, including U.S. Departments of Energy and Defense, U.S. Air Force and Navy, NASA, and even the Environmental Protection Agency.

Take, for example, famed Princeton University physicist Dr. Robert Austin, who has published 170 scientific papers and was elected a member of the U.S. National Academy of Sciences. Dr. Austin told a Senate committee that "unfortunately climate science has become political science. It is tragic that some perhaps well-meaning but politically motivated scientists who should know better have whipped up a global frenzy about a phenomena which is statistically questionable at best."

Mr. Chairman, if the families in my district have been able to tighten their belts, then surely the Federal Government can do the same and stop funding an organization that is fraught with waste and abuse. My amendment simply says that no funds in this bill can

go toward the IPCC. This would save taxpayers millions of dollars this year and millions of dollars in years to come. In fact, the President has requested an additional \$13 million for the IPCC in his fiscal year 2012 budget request. Our constituents should not have to continue to foot the bill for an organization to keep producing corrupt findings that were used as justification to impose a massive new tax on every American. They deserve better.

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

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

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

Mr. WAXMAN. Mr. Chairman, my colleagues, this amendment would eliminate funding to the Intergovernmental Panel on Climate Change, or the IPCC.

The U.S. contributes only \$2.3 million to the IPCC, and our \$2.3 million contribution leverages a global science assessment institution with global outreach and global technical input, a process we could not carry out alone and one that could come to a halt without U.S. support.

Their work on climate change is unparalleled. In its four assessment reports to date, they have brought together thousands of scientists around the world in disciplines ranging from atmospheric science, to forest ecology, to economics to provide objective and policy neutral information. The panel has attracted hundreds of the best U.S. scientists. In fact, a majority of the research that's reviewed is undertaken in U.S. institutions.

The IPCC's work has been lauded by the U.S. Academy of Sciences and by the InterAcademy Council, a body comprised of the national academies of the world. In fact, in 2007 that organization won the Nobel Prize for its assessment work. This institution is a nonpartisan and technically extraordinarily sound organization.

The Republican majority has already voted to prevent the EPA from using funds to regulate greenhouse gases. Now we're being asked to defund the work of international scientists to learn about the threat.

Now, the assumption, I assume, is that there is no threat and, therefore, let's not study it. I think that is not a wise assumption. This is a very shortsighted proposal to cut these funds. It's like putting our heads in the sand, denying the science, and then stopping the scientists from working because they might come to a different conclusion than the Republican majority's ideology in believing that there is no such problem and therefore we don't need to know about it or do anything about it. If we're not going to do anything here at home, let's at least work internationally to understand the threat and to deal with other countries to combat it.

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

□ 2320

Mr. LUETKEMEYER. For the last year or two, the International Panel has been funded at the rate of about \$12.5 million per year. The President has it in his FY12 budget at \$13 million. This group has been in the headlines for their activities with regard to how they are trying to tinker with the data that they put out.

Why would we want to fund a group of folks who is nefarious and gives us incorrect information? It's beyond me.

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

Mr. WAXMAN. Mr. Chairman, I don't understand how the gentleman from Missouri can say that this is a nefarious group of people. After all, these are people who are scientists, who've won the Nobel Prize for their scientific activities.

I used to think that people from Missouri were from the Show-Me State. Now I gather what this gentleman from Missouri is suggesting is "I don't want to know about it." I don't think that is what the position ought to be of the United States Congress. Let's learn the facts and then decide what to do about it but not stop trying to know what the science is behind the global threats.

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

The question was taken; and the Acting Chair announced that the ayes 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 Missouri will be postponed.

AMENDMENT NO. 569 OFFERED BY MR. ISSA

Mr. ISSA. 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:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used to fund periodic step increases described in Section 5335 of Title V of the United States Code.

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from California (Mr. ISSA) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from California.

Mr. ISSA. Mr. Chairman, President Obama announced a pay freeze. Within his Executive order, he froze all pay he could freeze. The one he could not freeze was step increases. This simple amendment adds to President Obama's 2-year freeze a 7-month freeze for the period he was unable to cover of step increases. Step increases are simply pay increases because you're on the job, period.

I reserve the balance of my time.

Mr. MORAN. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. MORAN. We all agree that we all need to be financially responsible with regard to the Federal budget, but this continuing resolution already substantially reduces funds for every single agency of the government. A freeze in civilian pay for Federal employees is already in effect for 2 years. It prevents cost of living and locality pay increases for the entire Federal workforce, including civilian employees of the Defense Department, although uniformed employees can get raises. If you're a political appointee you can get an increase but not if you're a civil service employee.

Mr. Chairman, a little over a majority of the Federal workforce is eligible for retirement over the next 5 years. We are going to make their lives far more difficult with the restraints on program funding we're putting in this bill, and then we're going to say they're not going to be able to get compensated when we tell them they have to do more with less funding for their agencies? We are going to lose our best and brightest people in the government, and as a result, the American people are going to lose the quality of service they've come to trust and expect.

I reserve the balance of my time.

Mr. ISSA. I continue to reserve the balance of my time.

Mr. MORAN. How much time is remaining, Mr. Chairman?

The Acting CHAIR. The gentleman from Virginia has 1½ minutes remaining.

Mr. MORAN. I yield 1 minute to the distinguished gentleman from Virginia (Mr. WOLF).

Mr. WOLF. I rise in opposition to this amendment.

Timothy McCarthy, who was the Secret Service agent who stopped the bullet that would have killed one of the greatest Presidents we've ever had, Ronald Reagan, would have deserved a step increase.

Dr. Collins, who has mapped the human genome system to be able to deal with pancreatic cancer and breast cancer and who could go outside and get a job anywhere, would deserve a step increase.

The FBI agent who is tracking down and working to find al Qaeda and terrorism and radicalization would deserve a step increase.

Lastly—lastly—some Members of this Congress have employees who have done such a good job—many of them are perhaps on the Appropriations Committee—they would deserve a step increase. If you vote for this, you can never give any of your employees a step increase for the rest of this year.

This is a bad amendment. I urge its defeat.

Mr. ISSA. I yield myself such time as I may consume.

Mr. Chairman, I just want to clear up some facts because I believe, in the effort to try to make a point, people have failed to be quite as accurate as they should be. First of all, as for political appointees, the President has already frozen their pay. Second of all, awards, raises, and bonuses are not limited by this freeze. The fact is, if somebody is meritorious of a raise, award or bonus, he will still be able to get it.

When they say that budgets have been cut, if budgets have been cut, not having this \$500 million in the first year and another \$500 million in the second year will, in fact, allow those budgets to go further.

When they say that these are effectively meritorious, from the Office of Management and Budget of the Obama administration, we have received the figure. It is 99.94 percent of all eligible Federal employees, meaning only six out of every 10,000 employees, failed to get this automatic increase.

This saves over \$500 million in 7 months and over \$700 million the next year. It is consistent with President Obama's freeze, and the freeze is exactly what we're trying to do—give the President what he said in the spirit in which he said it.

I reserve the balance of my time.

Mr. MORAN. With 30 seconds remaining, I think I should let the gentleman from California conclude his remarks.

I reserve the balance of my time.

The Acting CHAIR. The gentleman from California has 1¼ minutes remaining.

Mr. ISSA. Thank you. I won't use it all.

It has been a long night, and the American people are hopefully still watching. As they watch what we are doing here and as they see people coming and crying for the Federal worker, I hope what they realize is that the Federal worker is not losing a day's pay. We are not eliminating Federal workers, and Federal workers will be able to get awards, bonuses, any meritorious increase or promotion. We are simply saying that, for 99.94 percent of all non-uniformed Federal workers, to simply get longevity increases after the President has ordered a pay freeze is disingenuous to the process. We want to be genuine to the President's Executive order and genuine to the process here. The House of Representatives rolled back our funding by 5 percent, and that was a good start; but if we don't do this, we're not even genuinely freezing the pay of our own Federal workforce.

I strongly urge support for this amendment in keeping the promise of the President and the promise to the American people.

I yield back the balance of my time.

Mr. MORAN. I yield 15 seconds to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. I rise in strong support of the position of our committee in opposition to this amendment, and I want

to associate myself with the remarks of Mr. MORAN and Mr. WOLF.

Mr. MORAN. Mr. Chairman, we are the world's superpower, and much of the responsibility for maintaining the status of being that superpower falls on the shoulders of our Federal civil service.

Already, they get about a third less than what they would be getting in the private sector for the same responsibilities. We desperately need the best and the brightest, from all over this country, to serve the American people. If we punish them by limiting their salaries, by making them scapegoats, we are doing a disservice to the American people. Let's not do this. Defeat the amendment.

□ 2330

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

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

Mr. ISSA. 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. 94 OFFERED BY MR. SULLIVAN

Mr. SULLIVAN. 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:

At the end of the bill (before the short title), insert the following:

SEC. _____. No funds made available by this Act may be used to implement—

(1) the decision of the Administrator of the Environmental Protection Agency entitled "Partial Grant and Partial Denial of Clean Air Act Waiver Application Submitted by Growth Energy To Increase the Allowable Ethanol Content of Gasoline to 15 Percent" published in the Federal Register on November 4, 2010 (75 Fed. Reg. 68093 et seq.); or

(2) the decision of the Administrator of the Environmental Protection Agency entitled "Partial Grant of Clean Air Act Waiver Application Submitted by Growth Energy To Increase the Allowable Ethanol Content of Gasoline to 15 Percent" published in the Federal Register on January 26, 2011 (76 Fed. Reg. 4662 et seq.).

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from Oklahoma (Mr. SULLIVAN) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. SULLIVAN. Mr. Chairman, my amendment would simply delay the implementation of the EPA's E15 waivers for the remainder of the fiscal year, which would allow Congress time to address safety concerns related to the higher blend of ethanol gasoline before the EPA puts it in our general fuel supply.

Despite alarming consumer, environmental and economic concerns, the Environmental Protection Agency has ap-

proved a 50 percent increase in the amount of corn-based ethanol allowed in gasoline used by cars and light trucks manufactured in the 2001 model year and newer.

This is simply another attempt by the EPA to engineer ethanol mandates and drive ethanol subsidies forward. And, yes, this is a mandate.

The EPA has mandated that we use 36 billion gallons of renewable fuels, like ethanol, annually in our motor engines by 2022 and through incremental steps and backhanded attempts just like this, the EPA is mandating.

The EPA's move from E10 to E15 fuel over the next several months is in effect a backhanded 50 percent increase in the corn ethanol mandate putting consumers, engine makers and gasoline retailers at risk. Gasoline station owners are terrified of how they will comply with this E15 mandate because not all of the existing infrastructure is certified for the fuel. Under the EPA waiver, they will have no liability protections.

Quik Trip, a major gasoline retailer across the Midwest, which is headquartered in my hometown of Tulsa, Oklahoma, offers an unconditional guarantee on every drop of gasoline they sell. Because of the lack of liability protection, they will be left on the hook if someone puts the wrong blend of gas in the wrong kind of car. That will open up a litigation nightmare.

Why do we want to further mandate a fuel consumers don't want and retailers are afraid to sell? This is a major consumer safety issue that could adversely impact up to 60 percent of cars on the road today.

It is also important to point out the environmental impacts of this as well. The higher a fuel blend like E15, the higher the toxic air pollutant emissions. Since ethanol contains just 66 percent of the energy that gasoline does, E15 will lead to an actual drop in gasoline mileage. The EPA has even said you get 5 percent less fuel economy with E15 than clear gasoline.

The EPA has completely ignored calls from lawmakers, industry, environmental and consumer groups to address important safety issues raised by the 50 percent increase in the ethanol mandate waivers. Putting the brakes on E15 is the right thing to do for the people that we represent.

I ask my colleagues to join me in passing this amendment.

I yield back the balance of my time.

Mr. MORAN. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. MORAN. Mr. Chairman, I yield such time as he may consume to a very thoughtful and informed expert on this issue, the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. I thank the gentleman very much for yielding.

I understand the gentleman from Oklahoma represents oil and the reason that he is doing this, but current

government regulations restrict the ethanol blend to 10 percent by volume. Meanwhile, ethanol producers have hit the 10 percent cap and are producing more ethanol than can be used under current restrictions that are in place.

I have to correct the gentleman when he said EPA mandates this. It's Congress, us, that mandated the 36 billion gallons of renewable fuel by 2022. And it's essential, with that mandate from Congress, this is not EPA, that we increase E10 to E15 to continue our investment in renewable fuel for the economy.

Raising the limit will accelerate the use of renewable fuels made in the U.S. We are not importing this oil, Mr. Chairman. We are lessening our dependence on foreign sources of oil and encouraging continued investment and research for advanced biofuels like cellulosic ethanol.

As importantly, raising the limit will grow our economy here in the U.S., create about 136,000 jobs in the United States. This is oil that we are not importing from overseas and spending billions and billions of dollars with our military to defend the oil coming into this country.

These are good-paying jobs; they are very excellent as far as jobs in rural America. They cannot be outsourced overseas. Science supports E15. It's the most tested fuel in history, with the EPA and the Department of Energy stating that the higher ethanol blend does not harm engine durability nor emissions equipment for vehicles aged 2001 and newer, which represents more than 70 percent of the vehicles on the road today in the United States.

It's clear that science supports the decision. There's no doubt that the E15 blend limit is good for our economy, it's good for our energy independence and everybody talks about all of the above.

This is part of all of the above of energy independence for the United States. It's good for continuing investment in the renewable fuels, energy and for the rural parts of this country that need an awful lot of help these days.

I certainly oppose this amendment.

Mr. MORAN. Mr. Chairman, how much time do I have left?

The Acting CHAIR. The gentleman from Virginia has 15 seconds remaining.

Mr. MORAN. I yield the balance of my time to the gentleman from Texas (Mr. GREEN).

Mr. GENE GREEN of Texas. I want to thank my colleague from Virginia.

For 15 seconds, I want to associate myself with the remarks of my colleague and member of the Energy and Commerce Committee, Mr. SULLIVAN. I think we need to think how we are doing this with ethanol. It costs more. I don't want to import oil either. That's why we need to produce it in our own country.

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

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

Mr. SULLIVAN. 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 Oklahoma will be postponed.

AMENDMENT NO. 216 OFFERED BY MR. MCKINLEY

Mr. MCKINLEY. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to carry out section 404(c) of the Federal Water Pollution Control Act (33 U.S.C. 1344(c)).

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from West Virginia (Mr. MCKINLEY) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MCKINLEY. Mr. Chairman, we all should be concerned about the recent actions by the EPA and how it continues to destroy jobs by exceeding its statutory authority as envisioned by Congress. In West Virginia, our State's economy is highly dependent upon the coal and natural gas industries.

On January 13, 2011, the EPA took an unprecedented action by retroactively revoking a lawfully issued 4-year-old permit for the Spruce No. 1 surface mine in Logan County, West Virginia. This permit had been issued by the Secretary of the Army under the Clean Water Act and was approved by the Corps of Engineers in January 2007.

For nearly a decade, the Corps of Engineers worked with the EPA to rigorously review this Spruce mine project before it was approved. The permit was issued after this extensive environmental review, which included a 1,600-page Environmental Impact Statement in which the EPA fully participated and agreed to all terms and conditions included in the authorized permit.

□ 2340

Just to be clear, the EPA had every opportunity to address any concerns and work together with the Corps of Engineers prior to the permit being issued. By giving the EPA the funds to retroactively veto this permit, a dangerous precedent is being set for future job-producing ventures by businesses and industries throughout this country.

These actions by the EPA continue to justify why so many Americans worry about the EPA's relentless war on coal. If the EPA can be allowed to retroactively revoke a permit in West Virginia, they can continue this on-

slaught wherever water permits exist throughout America. Any entity discharging water is vulnerable to having their permits pulled and will put at risk city sewage treatment plants, farms, mines, steel mills, and chemical plants.

EPA's veto at Spruce mine caused the loss of 253 mining jobs and 298 indirect jobs in West Virginia. In addition, it prevented the investment of nearly \$250 million. The EPA's action has had a chilling effect on many types of companies, all of which rely on the certainty of the permitting process in order to make crucial business planning decisions. It's virtually impossible for companies to take the necessary steps to obtain financing and create jobs if they must endure the threat of retroactive revocation of the very permits that allow them to do business.

Today, this injustice happened at Spruce mine in West Virginia. Tomorrow, the EPA could very well pull an existing water permit at a steel mill in Indiana, a chemical plant in Texas, a sewage plant in Iowa.

Mr. MORAN. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. MORAN. Mr. Chairman, the gentleman from West Virginia's amendment tries to prohibit EPA from carrying out section 404(c) of the Clean Water Act. It's one more effort to deregulate all aspects of mountaintop mining. Section 404(c) authorizes EPA under especially serious circumstances to pull back permits for dredging and filling with toxic material if they would have a substantially adverse effect upon the quality of water, wildlife, and fishery areas. EPA has only used this 404(c) authority 13 times in the 39 years of the Clean Water Act.

But this amendment and its backers don't want EPA using that authority to prevent the coal industry from polluting the contiguous waters to their mountaintop mining. We know that mountaintop surface mining removes entire mountaintops so that they can get to the coal underneath, but then in the process invariably deposits toxic mining waste in the nearby streams. And then that gets into the public's water supply. It costs substantial sums of money to subsequently clean it, and toxically polluted can be not only devastating to the environment, but devastating to local economies.

Only in the most egregious instances has EPA used this authority. They should have the right to pull permits when companies carelessly and seriously harm the environment. That's EPA's responsibility. It's understandable that mining companies don't want any restriction on their mining, but it's not excusable for this Congress to prevent the EPA from carrying out its lawful responsibilities and not to heed the long-term health impacts on the American people and of the quality of the water in these regions. So I urge

the defeat of this amendment, Mr. Chairman.

Mr. Chairman, I think that the body knows where we stand, on the side of responsible environmental preservation and clean water for our children to drink.

At this point, in deference to the chairman of the full committee, I yield what time remains to the gentleman from Kentucky, because I see him standing, and I suspect he wants to be heard on this.

Mr. ROGERS of Kentucky. I appreciate the gentleman's kindness.

Mr. Chairman, I wanted to thank the gentleman from West Virginia for offering this amendment. This retroactive veto of the Spruce mine is the poster child for EPA's regulatory overreach, but there are thousands more permits like this throughout Appalachia that the EPA could put on notice. But coal is not the only industry relying on these 404 permits.

The Acting CHAIR. The time of the gentleman has expired.

Mr. ROGERS of Kentucky. I move to strike the last word.

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

Mr. ROGERS of Kentucky. The EPA's action at Spruce will have severe implications for the agriculture, construction, and transportation sectors because it sets a dangerous precedent that EPA can revoke any permit at any time for any reason, or for no reason.

Mr. Chairman, we need these jobs. And our job-creating industries need regulatory certainty, not more of the same regulatory roulette from the EPA. The gentleman from West Virginia's amendment would inject some certainty into the regulatory environment by stripping the EPA of its authority to retroactively veto existing permits at their whim, with no appeal.

We in Congress need to keep our hand on the reins of this EPA, which is running roughshod over small businesses, family farms, even the constitutional authority of this Congress. I want to thank again the gentleman from West Virginia for offering this amendment, and I hope that we can have the support of all Members of this body.

I yield to the gentleman from West Virginia.

Mr. RAHALL. I thank my colleague, the distinguished chairman of the Appropriations Committee, for yielding, and I rise in support of my colleague from West Virginia's amendment, Mr. MCKINLEY. This particular action in regard to the Spruce permit is an insult to the integrity of the mine-permitting process.

The particular mine in question is located in my congressional district. The permit was negotiated with the EPA in good faith by the coal company over a space of 10 years. The permit was then granted 3 years ago and just recently was revoked by the EPA. It goes against the grain of what I think

should be good-faith efforts by coal companies to negotiate with the EPA, recognizing that they can't get all they want in a permit application and therefore some withdrawal, some compromise is necessary. That was done in this particular case in a painstaking process over 10 years, and the permit was granted. Now to have it revoked is indeed an insult to the integrity of the mine permitting process.

The EPA was given authority in the Clean Water Act to weigh in on permitting decisions of the Corps of Engineers to help ensure a balance between environmental protection and activities like energy development.

In that regard, the EPA could and should be a positive, constructive force. But its methods over the last two years have reformulated the permitting process in ways never envisioned under the law.

It has used its limited legal role to wrest control of the process from the Corps of Engineers where the chief responsibility for 404 permitting legally lies.

Nowhere is this more evident than in EPA's veto of the Mingo-Logan Coal Company's Section 404 permit for its Spruce Fork No. 1 mine.

In 1998, the operator of that mine applied for a permit to construct what was, at the time, the largest surface mine ever attempted. The mine was immediately the target of a lawsuit, of legislative debate, and federal regulatory action.

Over the course of the next several years, the company, the Corps, and the EPA engaged in intensive negotiations. The mine became the subject of an Environmental Impact Statement—the first ever written for a surface mine.

In the end, in January of 2007, as a result of much compromise and revision, an individual 404 permit was awarded by the Army Corps. That was nearly ten years from the date the company first made application.

But on September 3, 2009, the EPA reneged. It sent a letter to the Corps of Engineers asking that the Corps suspend, revoke, or modify that 2-year-old permit—a request the Corps flatly refused. Then the EPA took the further, ground-breaking step of issuing its own veto.

So, under one EPA Administrator, the 404 permit for this mine was approved. Under another Administrator, it was vetoed.

If the EPA can veto this permit—a permit 10 years in the making—not a single, solitary thing stands in the way of this EPA, or some future EPA, should it decide—for whatever reason—to reach back and veto a previously granted permit for coal mining or any other activity. Without some degree of finality, permitting is worthless.

I still believe that achieving balance between energy development and environmental protection is a goal we can and must achieve.

But the EPA must not be allowed to dwell in the mindset that job losses are an inevitable result of protecting the environment. The coal miners of the Appalachian region deserve a fair, clear, and consistent regulatory process.

Toward that end, Mr. Chairman, I join in urging my colleagues to support this amendment to rein in an EPA gone too far.

Mr. ROGERS of Kentucky. I thank the gentleman for his comment.

Mr. Chairman, let us work. Give us the jobs. Give us the jobs.

I yield back the balance of my time.

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

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

Mr. MCKINLEY. 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. 217 OFFERED BY MR. MCKINLEY

Mr. MCKINLEY. 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:

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used by the Environmental Protection Agency to develop, propose, finalize, implement, administer, or enforce any regulation that identifies or lists fossil fuel combustion waste as hazardous waste subject to regulation under subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.) or otherwise makes fossil fuel combustion waste subject to regulation under such subtitle.

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from West Virginia (Mr. MCKINLEY) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MCKINLEY. Mr. Chairman, I first want to thank my colleague and fellow committee member, CLIFF STEARNS from Florida, for offering a similar amendment. This amendment will specifically bar the use of funds to carry out the regulation of fossil fuel combustion wastes under subtitle C of the Solid Waste Disposal Act. In 2010, the EPA proposed this regulation, and here we are today standing against this emotional reaction triggered by a structurally unstable dam in Tennessee.

What happened there is tragic and should be dealt with by the proper agency regarding the dam's integrity. It should not be used to advance an ideologically motivated agenda regarding the environment.

Let me frame the issue. Fly ash is an unavoidable byproduct of electric power generation using coal. It is captured before being emitted into the atmosphere. The fine grain, dust-like particles are then recycled into concrete mixtures for our roads, our bridges, and buildings. It's an additive in masonry production of concrete blocks and bricks. It's been widely used in drywall panels used in houses, schools, and offices.

□ 2350

The fly ash is even used in agricultural fertilizers and soil amendments. If the EPA were allowed to continue

with their plan to designate fly ash as a hazardous material, all of these time-tested energy-saving uses would come to a halt.

The expense of handling the product would increase logarithmically, and so would our electric prices. By increasing the cost of power, it understandably causes the cost of producing American-made products to increase and put American businesses at another disadvantage against our foreign competition. This EPA rule will be an unmitigated job-killer.

Coal ash use and disposal has been studied by the EPA for over 20 years. The Resource Conservation and Recovery Act directed the EPA to study the "adverse effects on human health and the environment, if any," of current practices for disposal and utilization of fossil fuel combustion wastes. The EPA's conclusion was that these wastes do not warrant regulation under subtitle C. How many more reports need to be conducted by the EPA to show that fly ash is nonhazardous? Enough is enough.

According to various environmental groups, for every ton of cement manufactured, about 6.5 million BTUs of energy are consumed and about 1 ton of carbon dioxide is replaced. If we can replace that 1 ton with fly ash, we could save enough electricity to power an average American home for 24 days and reduce carbon dioxide emissions equal to a 2-month use of an automobile.

What's ironic to me is that even the EPA's headquarters right down the street from us was built with a significant amount of fly ash mixed into the concrete matrix.

The use of fly ash in concrete creates a stronger, lasting product by using less water. In using less water, we further reduce our environmental footprint.

I ask my colleagues to join me today in supporting my amendment.

The Acting CHAIR. The time of the gentleman has expired.

Mr. MORAN. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. MORAN. Mr. Chairman, this amendment would stop EPA from identifying coal ash as hazardous waste and, therefore, prevent any regulation of that waste. The fact is that coal ash contains dangerous contaminants, such as mercury, cadmium, and arsenic, and we know those can be dangerous to public health. Without further guidance by EPA, this ash will continue to be stored onsite at many large power plants, where it leaches into the groundwater and into nearby streams. EPA has found a number of communities across the country where coal ash has contaminated drinking water sources poisoning people and wildlife.

Through its public rulemaking process, it's been developing a rule. In fact, it has received more than 450,000 public comments. It's had Web-based seminars. It's done everything to get opin-

ion on both sides of this issue. It's currently conducting risk and economic analyses of the options available.

Suspending work on a final regulation isn't going to satisfy anybody. But it will ensure that you're going to continue to have the coal ash at risk of contaminating drinking water, you are going to create uncertainty for power companies that burn coal, and you are going to eliminate potential markets for coal ash reuse. Potential users are not going to buy it if they think some day it might cause liability. The final EPA rule would eliminate that uncertainty, allow for coal ash to be properly stored and used, and eliminate the risk for health and the environment. That's why the amendment should be defeated.

At this point, I yield the balance of my time to the gentleman from California (Mr. WAXMAN), the distinguished ranking member of the Energy and Commerce Committee.

The Acting CHAIR. The gentleman is recognized for 1½ minutes.

Mr. WAXMAN. I urge my colleagues to oppose this amendment.

I want to tell you a story. On December 22, 2008, in Kingston, Tennessee, a coal ash impoundment structurally failed, and they released 5.4 million cubic yards of toxic sludge. This sludge blanketed the Emory River and 300 acres of surrounding land, creating a Superfund site that could cost up to \$825 million to remediate. If this coal ash had been stored safely, this tragedy would never have happened. The wastes are dangerous. What EPA has tried to do is to make sure that the hazardous waste is disposed of safely to protect the health of communities.

And I find it somewhat amazing to hear the author of this amendment say that EPA is acting on an ideological agenda. How ideological do you have to be to act when you have an example of a terrible amount of coal ash poisoning areas and threatening drinking water? Is that ideological when they want to make sure that it's safeguarded and disposed of in a proper way? That's not ideological. That's the kind of thing we want EPA to do. So I would urge opposition to this amendment.

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

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

Mr. MCKINLEY. 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. 545 OFFERED BY MR. POMPEO

Mr. POMPEO. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used to carry out any of the activities described in section 6A of the Consumer Product Safety Act (15 U.S.C. 2055a).

The Acting CHAIR. Pursuant to the order of the House of February 17, 2011, the gentleman from Kansas (Mr. POMPEO) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Kansas.

Mr. POMPEO. Mr. Chairman, I yield myself 2 minutes.

This amendment is actually pretty straightforward. It's pretty simple. The Consumer Product Safety Improvement Act of 2008 called for the creation of a public consumer information database. And last year, the agency adopted a database rule that fails to uphold the statute. The statute required that the agency not allow materially inaccurate information to be on the publicly available database, and yet the rule, as promulgated, actually requires the agency to post materially inaccurate information. Indeed, it requires the agency to post that material and accurate information within 10 days. This will drive jobs overseas. It will increase the cost for manufacturers and consumers. The National Association of Manufacturers has announced its support for this amendment. The Home Appliance Manufacturers, the American Home Furnishings Alliance, the Consumer Specialty Products Associations all have recognized that this regulation is terribly onerous.

The request of this amendment is very modest. It does not ask that this go away. It just asks for a delay in implementation. It asks for some time for the committee to review this regulation and come up with a regulation that makes sense and is consistent with the statute. So I would urge the support of this amendment.

I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from California is recognized for 10 minutes.

Mr. WAXMAN. I yield myself 2 minutes.

This amendment would deny the Consumer Product Safety Commission the implementation of a searchable public consumer safety information database. Now this database was part of a bill that passed this House by 424-1. We required a database, and CPSC is ready to release this database. It's based on similar successful databases run at the present time by the Food and Drug Administration and the National Highway Traffic Safety Administration. It would allow consumers to report harms associated with consumer products and then to research risks associated with these particular products.

This is exactly what the American people want. They want information. They have a right to know. And, in fact, every opinion poll indicates this.

This amendment is a “keep the consumers in the dark” amendment. Parents want to know if a toy is dangerous. This amendment would take away their right to go to a database that would give them this information.

Now the claims against the database are pretty shocking. The manufacturers say, Well, this is going to be a problem because they’re going to put things on the database that are trade secrets or inaccurate.

□ 0000

This is simply not the case. There is a safeguard. In fact, there are safeguards after safeguards to protect manufacturers.

The statute provides more procedural safeguards than any other public database at a Federal agency. Anonymous complaints are not allowed, only safety-related information will be included. Businesses get to see every report of harm before it is placed in the database. They have an opportunity to correct inaccurate information and to provide their own comments.

I reserve the balance of my time.

Mr. POMPEO. Mr. Chairman, I yield 1 minute to the gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Chairman, I rise in support of this amendment. Having voted for the NHTSA Act, I want to say that the intent of this database was to provide consumers with information on dangerous products. Some people have compared the database to the one operated by the National Highway and Traffic Safety Administration. However, the two are very different because NHTSA’s database requires much more information about the actual product and is therefore much more reliable.

From a government perspective, we should be concerned that there will be inaccurate information on a “.gov” Web site. And at the end of the day, the most important factor is this: If the database isn’t accurate or reliable, it is going to be totally useless for consumers looking to avoid unreliable or dangerous products. It has already cost \$29 million. And I say, if you’re going to set up a database, do it right.

We, as a Congress, have a duty to fund things that are in the best interests of the American people, and the CPSC database is not. It should not go live next month with inaccurate information.

I strongly support this amendment.

Mr. WAXMAN. Mr. Chairman, I yield 1½ minutes to the ranking member of the subcommittee that has jurisdiction over this issue, the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Mr. Chairman, I rise in opposition to the amendment. As part of the Consumer Product Safety Improvement Act, the Consumer Product Safety Commission was charged with creating a publicly available, searchable database for complaints regarding consumer products. The amendment offered by the gentleman aims to bar the Commission

from moving forward with this database.

The Food and Drug Administration and the National Highway Traffic Safety Administration both have publicly available databases for consumers to report harms or potential safety problems about cars and medical products. Those databases don’t provide any due process to manufacturers to contest those claims. However, this database provides exhaustive due process, including allowing manufacturers to refute “materially inaccurate” claims and, if found to be inaccurate, have the complaint removed. The Commission database also allows manufacturers to issue a response and have those responses appear along with the consumer complaint.

Mr. Chairman, I urge my colleagues to reject this amendment.

Mr. POMPEO. Mr. Chairman, I yield 15 seconds to my colleague from Texas (Mr. BARTON).

Mr. BARTON of Texas. Mr. Chairman, I would like to put in the RECORD a letter dated November 23, 2010, on this issue that I sent to the chairman of the U.S. Consumer Product Safety Commission, the Honorable Inez Tenenbaum.

I rise in strong support of the gentleman from Kansas’ amendment. He is exactly right on this, and we should support him.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, November 23, 2010.

Hon. INEZ TENENBAUM,
Chairman, U.S. Consumer Product Safety Commission, Bethesda, MD.

DEAR CHAIRMAN TENENBAUM: I am pleased the Commission delayed consideration of a proposed final rule on implementing the Publicly Available Consumer Product Safety Information Database. Implementing this database properly is very important and I write to clarify the intent of Congress when we passed the relevant provisions of the Consumer Product Safety Improvement Act of 2008 (P.L. 110-314). Several provisions of the staff-proposed final rule run contrary to the intent of Congress and the clear and unambiguous language of the Act.

By way of background, the House-passed version (H.R. 4040) of the database provision reported by the Energy and Commerce Committee by a 51-0 vote did not authorize implementation of a database remotely similar to the one set forth in either the Public Law or the proposed final rule. We had bipartisan agreement to evaluate the efficacy of, and only then improve, the Commission’s legacy Injury Information Clearinghouse database based on this evaluation. We provided first for an evaluation of the Commission’s current injury databases. Following this evaluation, the bill directed the Commission to submit a plan to Congress on the best way to maintain the publicly available information in a searchable Internet database. The bill also directed the Commission to provide its views on whether the database should include additional information, such as consumer complaints. The bill thus provided for evaluation and another opportunity for Congress to consider the best way of addressing the database. We clearly could have gone further and drafted the bill to require that the database include such information, but we rejected that approach. In fact, the then Committee Chairman and I both opposed—

and the Committee rejected—amendments during Committee consideration that would have mandated specific reporting requirements. We shared serious concerns that innocent companies should not suffer reputational harm from slanderous or inaccurate information in the publicly accessible database before the Commission verifies the accuracy of the information. Due process is important and we did not believe the amendment afforded adequate protection to those who could suffer harm from the disclosure of slanderous or inaccurate information.

Similarly, after the Senate passed its bill, the conferees reached a compromise between narrow House and the broader Senate database provisions to specifically balance the interests of consumers and companies. The approach we agreed upon carefully balanced the objectives of making reports of harm available to the public, ensuring the accuracy of the information, and preventing the disclosure of confidential information. The Commission staff proposal does not properly balance these interests and therefore does not comport with the intent of Congress. The proposal provides that the Commission would submit information where a specific product and manufacturer is identified to that manufacturer for review of potentially confidential information and to ascertain the material accuracy of the information. If a company provides evidence proving that either a breach of trade secrets would result from disclosure of the information or that the information is materially inaccurate, the Commission staff would review the evidence. According to the staff proposal, if the Commission cannot complete its review within 10 days, it would publish the information and remove it at a later date if warranted at the conclusion of its investigation. This process would provide little or no protection for confidential information and will encourage the publication of inaccurate and misleading information. Once the information is public, competitors can learn trade secrets and media can disseminate materially inaccurate information with little hope that the error could be rectified in the future. Congress did not intend such a result, and we went to great lengths to provide reasonable protection to manufacturers from the harm that such publication could entail. The Commission must follow the intent of Congress and allow such information to be withheld pending the completion of its investigation into confidentiality and accuracy.

I am also troubled by the proposed final rule’s expansion of the list of entities that may submit reports of harm to the database beyond those specifically enumerated in the law. Congress included an exhaustive and exclusive list of those who may submit reports for the database in section 6A(b)(1)(A) of the Act. Specifically, that section provides that the database shall include “Reports of harm relating to the use of consumer products, and other products or substances regulated by the Commission, that are received by the Commission from (i) consumers; (ii) local, State, or Federal government agencies; (iii) health care professionals; (iv) child service providers; and (v) public safety entities.”

In its first draft, the Commission staff sought to create a new category of “others” not contemplated by Congress, which included but was not limited to attorneys, professional engineers, investigators, non-government organizations (NGOs), consumer advocates, consumer advocacy organizations, and trade associations. In its most recent draft, the staff accepts that Congress enacted an exhaustive and exclusive list of reporters and removed the category of “others.” However, the proposal now simply redefines the term “consumers” to include attorneys, investigators, professional engineers,

agents of a user of a consumer product, and observers of the consumer products being used. Congress did not anticipate that the Commission would propose a definition of “consumer” that so radically departs from the common definition of consumer. If Congress had intended to expand the universe of reporters to include all of the entities identified in the most recent proposal, we would have made it explicit in the Act.

Finally, the proposal also expands the definition of “public safety entity” to extend beyond federal, state and local law enforcement entities, police, fire, ambulance, emergency medical services, and other public safety officials to now include consumer advocates, NGOs, consumer advocacy organizations and trade associations. Congress did not intend to include these additional entities as is clear by the plain meaning of the text. Accordingly, to comport with Congressional intent, the Commission must strike the expanded definitions of “consumers” and “public safety entity” before it finalizes the rule.

Thank you for the opportunity to clarify the intent of Congress in these matters. I look forward to working with you and the Commission on implementation of the CPSIA.

Sincerely,

JOE BARTON,
Ranking Member.

Mr. WAXMAN. May I inquire of the Chair how much time each side has left?

The Acting CHAIR. The gentleman from California has 7 minutes remaining. The gentleman from Kansas has 7¾ minutes remaining.

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

Mr. WAXMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY) who authored this particular provision in the consumer product safety legislation.

Mr. MARKEY. I thank the gentleman from California.

This language is going to destroy the early warning system that has been put in place in order to give parents the information they need in order to protect their children. If this amendment passes, it will grant industry’s wish to once again make the government its secret partner in crime by keeping reports of serious injury or even death hidden from public view.

In 2000 and again in 2003, the Consumer Product Safety Commission documented cases of children suffering intestinal injuries after swallowing small but powerful magnets that had fallen out of toys. The public didn’t know, and the CPSC did nothing. By mid-2005, after more reports of safety concerns associated with the magnets and two reports of serious, life-threatening injuries, the public still didn’t know, and the CPSC still did nothing.

On Thanksgiving Day 2005, 22-month-old Kenny Sweet of Redmond, Washington, died after swallowing magnets that had fallen out of Magnetix toys. It was only after Kenny’s death and an additional four hospitalizations that the CPSC finally gave the public an inkling of what was going on. But it actually took until April of 2007—after 7 years of reports of risks, numerous se-

rious injuries and a death—before a full recall of all the products was undertaken. And that is not the only example of deaths and injuries that could have been avoided had parents known the risks to their children.

In all of these cases, we heard the same story. There simply aren’t enough resources for the CPSC to quickly and fully investigate every complaint. In 2005, the CPSC investigated only 1 percent.

This is a “no” vote. Otherwise, we are going to see that choking hazards and cribs that kill are once again hidden from public view.

Mr. POMPEO. Mr. Chairman, I urge regulatory sensibility in the support of this amendment, and with that, I yield back the balance of my time.

Mr. WAXMAN. Mr. Chairman, in my last 30 seconds, let me just say this is an issue of the public’s right to know. Let this database be available to them so they don’t go buy a toy that they could have checked out on a Web site and found out that it was poisonous.

I urge the defeat of this amendment.

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

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

Mr. POMPEO. 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 Kansas will be postponed.

AMENDMENT NO. 515 OFFERED BY MR. BISHOP OF UTAH

Mr. BISHOP of Utah. 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:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used for the National Landscape Conservation System.

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from Utah and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, the NLCS, which is a redundant administrative system, was codified by legislation. In the 110th session of Congress, the House passed an amended bill which went over to the Senate and died. In the 111th session, the Senate picked up that bill, stripped all the House amendments off and put it into the omnibus lands bill where, without any hearing or debate, it was hidden in the bowels and sent over to us where, once again, we had no hearings, limited debate, none of which was on this particular system.

This redundant system, since I have introduced a resolution to try and

streamline the Department of the Interior by streamlining those functions, I have heard some of the most amazing accusations of what would happen if we were to indeed do that, everything from having the sun come up in the west to the immediate beginning of the Mayan calendar.

Ms. BERKLEY. Mr. Chair, I rise in the strongest possible opposition to the Bishop amendment. As is the case with many of the cuts in this bill, and with many of the amendments offered, the goal seems to be to cut just for the sake of cutting. COPS funding? Cut it. Title Ten services for low-income women? Cut it. Head Start? Cut it. The list goes on and on.

I support efforts to reduce the deficit, and in that effort I have voted for some of the amendments offered this week. But the Bishop amendment goes too far, and in fact will have a devastating impact on Southern Nevada and many other communities across the nation that will cost us far more in the long run.

As an example, defunding the entire National Landscape Conservation System will require shutting down the Red Rock Canyon National Conservation Area, the stunningly beautiful natural wonder just outside of Las Vegas. More than one million local families and tourists visit this unique national treasure each year, taking advantage of the 13-mile scenic drive, visitor center, hiking trails, rock climbing, horseback riding, mountain biking and other recreational activities, and bringing valuable tourist revenue to our community as we work to recover from the economic downturn. Funding from the National Landscape Conservation System allows BLM to maintain the roads, trails and visitor center that make Red Rock accessible and that enable people of all ages and abilities to enjoy its beauty year-round. Passage of this amendment would eliminate this essential funding and force the shutdown of this jewel in the Nevada desert.

I strongly encourage the defeat of this short-sighted amendment.

Mr. BISHOP of Utah. With the time that we are at right now and with the further indication that during this session our committee will definitely review this particular administrative system for further investigation, I would ask, with permission of the Chair, to withdraw the amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

□ 0010

AMENDMENT NO. 200 OFFERED BY MR. BURGESS

Mr. BURGESS. 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:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used to pay the salary of any officer or employee of the Center for Consumer Information and Insurance Oversight in the Department of Health and Human Services.

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. This amendment would allow that no funding made available in this continuing resolution is to be used to pay for the salary of any officer or employee at the Center for Consumer Information and Insurance Oversight within the Department of Health and Human Services.

The Patient Protection and Affordable Care Act never mentions, never authorizes, never appropriates money to the Center for Consumer Information and Insurance Oversight, formerly known as the Office of Consumer Information and Insurance Oversight. So, without congressional authorization, OCCIIO, or now CCIIO, proceeded to hire staff, estimated to be 200 people by the end of last year. They have rented office space in Bethesda.

Tasked with implementing some of the largest and most expensive sections of the Patient Protection and Affordable Care Act by the Secretary of Health and Human Services, this agency began issuing regulations, including those related to State exchanges, medical loss ratio, grandfathered plans, and the granting of waivers to businesses on meeting the requirements of the Affordable Care Act.

Currently, this agency has granted 915 waivers accounting for 2.5 million Americans representing about 1 percent of Americans who have private health insurance.

This agency's operation is outside any definitive boundaries, and eventually drew some criticism, forcing them to be brought back under the jurisdiction of the Center for Medicare and Medicaid Services, effectively making CMS the most powerful health care agency in the universe with jurisdiction over Medicare, Medicaid, the State children's health plan, and now private insurance. This center has been allowed, without congressional authorization, without congressional oversight, to make the decisions that will affect all sectors of the American population.

Without any due diligence or any congressional oversight, no agency or center should be able to obtain funding, carry out their own agenda, implement policy, write regulation, and remain largely unchecked. Before any further funding is allowed to be provided by this body, we need to know where the previous funds came from, how the money was spent and fully review their operations.

I reserve the balance of my time.

Ms. DELAURO. I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Connecticut is recognized for 3 minutes.

Ms. DELAURO. I yield myself 1½ minutes.

Before we passed the Affordable Care Act, countless Americans would buy coverage they thought was comprehensive only to realize that it had huge gaps once they actually got sick. Even

when the plans look similar from the outside, with comparable deductibles, copays, and so-called out-of-pocket limits, they can result in drastically different levels of out-of-pocket medical expenses, which is probably why more than 50 percent of bankruptcies in this country are because of medical debt.

The Affordable Care Act created the Office of Consumer Information and Insurance Oversight to provide better information to consumers, to hold insurers accountable at the Federal level, and help States with oversight responsibility. It requires insurance to provide clear information to consumers on what is really in their policy, such as standard definitions of medical and insurance terms, because hospitalization should mean hospitalization. It requires insurance to disclose data on claims payment policies and practices, claims denial rates, medical loss ratio, and other information so that consumers can make informed choices and so regulators can make sure the rules are followed.

It's also responsible for confirming that the insurance companies get approval to raise rates by more than medical inflation. In short, it dramatically increases transparency and accountability in the health insurance market.

The Acting CHAIR. The time of the gentlewoman has expired.

Ms. DELAURO. I yield myself 30 seconds.

Why wouldn't we want consumers to know what they are buying so that they don't go broke, that they get the health care that they need when they are sick?

Quite frankly, what this does is to help keep the big insurers honest, and that's probably why the majority has put the desires of the insurance companies and the interests of the insurance companies before the well-being of the American public.

I reserve the balance of my time.

Mr. BURGESS. Mr. Chairman, what the gentlelady asserts may or may not be true. The fact is we don't know. We never authorized this agency. In a 2,700 page bill, passed in the dead of night on March 23, no authorization for this agency existed, but curiously enough, the head of this agency was actually hired a year ago last Wednesday. The administration knew what they were doing, they bowled right ahead and did it, but they didn't want Congress to know. The authorization language was left out of the bill, and then we forward funded it with direct appropriation. That is why this amendment is necessary. Pull that funding out. Keep those foot soldiers under wraps because in CMS, they are under direct control of a man who has never been confirmed by the United States Senate.

The Acting CHAIR. The time of the gentleman has expired.

Ms. DELAURO. I yield the balance of my time to Mr. PALLONE of New Jersey.

The Acting CHAIR. The gentleman is recognized for 1 minute.

Mr. PALLONE. Mr. Chairman, I respect Dr. BURGESS a great deal, but I have no idea why he would be opposed to having an agency that is essentially putting a check on the insurance companies. The problem is that the insurance companies keep raising rates, they don't show the consumer what the real benefits that they're receiving are, and what we need is more transparency and some way to review these insurance premium rates so that they don't get out of hand.

The fact of the matter is that this agency, working with States, has already had great success. In Connecticut, regulators recently rejected a proposed 20 percent rate increase by Anthem Blue Cross and Blue Shield. In Maine, the State superintendent rejected WellPoint's Empire Blue Cross request to raise rates by 23 percent. Colorado, also, and in California, the review prompted Anthem Blue Cross to withdraw its request for a 39 percent premium increase.

Why are you objecting to us trying to put a check on these insurance companies that keep raising their rates at outrageous levels? That's what this is all about. I oppose this amendment.

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

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

Ms. DELAURO. 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. 482 OFFERED BY MR. HELLER

Mr. HELLER. Mr. Chairman, I have an amendment at the desk, amendment No. 482.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used to designate monuments under the Act of June 8, 1906, (commonly known as the "Antiquities Act of 1906"; 16 U.S.C. 431, et seq.).

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from Nevada (Mr. HELLER) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from Nevada.

Mr. HELLER. Mr. Chairman, I rise today to offer an amendment with my friend from Idaho (Mr. LABRADOR) to prohibit funds from being used to designate national monuments under the Antiquities Act. Roughly 85 percent of Nevada is federally controlled.

□ 0020

So I am sensitive to any actions that could close access to public lands. New

national monuments would limit access, threaten grazing rights, end mineral exploration of mining, and even impact private property. And this is the last thing we need in this dire economy.

A transparent public process that includes input from local officials, communities, and stakeholders for any new Federal land designation is in the best interest of the residents of our public lands communities. That is why I support efforts to require any Antiquities Act actions to have congressional approval. Government that works in the best interest of the people ensures that all stakeholders have a seat at the table.

Examples, such as the Grand Staircase Escalante National Monument, which in the waning days of the Clinton administration literally obliterated massive economic development with a stroke of a pen, are why I am standing here today. I don't want this to happen in Nevada or anywhere else.

I urge my colleagues to join us to protect communities from the heavy hand of the Federal Government and support our amendment.

I reserve the balance of my time.

Mr. MORAN. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. MORAN. Mr. Chairman, this is a bad amendment. Presidents of both parties have used this act to increase protection to lands and waters that are already U.S. Government controlled. The act has no impact on private lands. It's a law that was passed by a Republican-led Congress and signed by a Republican President, Theodore Roosevelt.

Since then, 15 U.S. Presidents have declared 131 national monuments under the act—eight Republican Presidents, seven Democratic Presidents.

It must be remembered that the lands withdrawn are Federal lands owned by all Americans—not just the residents of certain States or localities in which they happen to be located. The Nation, not just a single State, has a vital interest in the future of these lands and their unique qualities.

At this point, Mr. Chairman, I would ask how much time I have remaining.

The Acting CHAIR. The gentleman has 2 minutes.

Mr. MORAN. I yield 1 minute to the gentleman from California (Mr. FARR).

Mr. FARR. Thank you for yielding.

This is a bad amendment, and I urge all of my friends to carefully consider it.

Mr. HELLER may have an issue in Nevada, and he says he wants to have legislation to require Congress to make these designations, but that's not what's here today. He's wiping out the money to give the President the ability to make these monuments.

Look it. We just made one in California on the entire coast of California for all the rocks and islands and is

probably the largest monument in the United States. It was overwhelmingly endorsed by all of the communities along the coast. Let local governments be involved in these things so they can petition the President.

More Republican Presidents have used this than Democratic Presidents. It affects all of your States. The Grand Canyon was originally a monument before Congress made it a national park.

Taking away this tool in the tool box would just leave these lands fallow. They're BLM lands. They're already owned by the Federal Government. They'd have no use. You can't get into the other activities that the others have.

This is a great tool. Don't throw it away.

Mr. MORAN. Mr. Chairman, I would yield the remaining 1 minute to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Thank you.

Monument designations do not take non-Federal land. The Antiquities Act only allows monument designations on land the Federal Government already owns.

There is nothing improper about these designations. This authority has been upheld by every court which has reviewed it since 1906.

Monument designations do not lock up resources. Monument designations under the Antiquities Act grandfather valid, existing rights so any mining or other claim existing before the designation can still move forward.

If Members object to the Antiquities Act of 1906, they should file legislation amending the act and then come on over to the Natural Resources Committee. DOC HASTINGS and I will be sitting there waiting for you to testify to make your case to amend the Antiquities Act.

This amendment is based on an extreme ideology that the Federal Government should divest itself of the stunning national treasures managed by the Department of Interior and enjoyed by millions each year.

Vote "no" on this amendment.

The Acting CHAIR. The gentleman from Nevada has 1½ minutes remaining.

Mr. HELLER. Mr. Chairman, I yield the balance of my time to the gentleman from Idaho (Mr. LABRADOR).

Mr. LABRADOR. Mr. Chairman, I rise today with my friend, Mr. HELLER, to join in this great amendment.

Last year an internal document was leaked from the Department of Interior. This document described the administration plans to lock up more than 140 million acres of public lands and designate 14 new national monuments.

It also proposed using its land management authority to sidestep prohibitions on monument designations. When the secret plan was brought to light, the administration backtracked and quickly claimed it had no plans to lock up millions of acres of public lands.

The administration essentially wanted us to forget about how President Clinton used his authority in the dark of the night to lock up millions of acres of land. I can't say for sure that the administration will follow through with that commitment, but I already know that they have betrayed us, and they have betrayed our trust.

Once again, they acted to restrict public land use when Secretary Salazar rolled out a new plan, cooked up in secret, to create a new category of off-limit lands called "Wild Lands."

The actions of this administration have proven to me that it cannot be trusted to possess the authority to designate monuments without congressional oversight, which is why I have joined my friend, Congressman HELLER, in offering this amendment. I urge my colleagues to support this amendment.

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

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

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

Mr. DICKS. 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 Nevada will be postponed.

AMENDMENT NO. 174 OFFERED BY MR. HELLER

Mr. HELLER. 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:

At the end of the bill, after the short title, insert the following new section:

SEC. 4002. None of the funds made available by this Act may be used for the Yucca Mountain Nuclear Waste Repository.

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from Nevada (Mr. HELLER) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from Nevada.

Mr. HELLER. Thank you, Mr. Chairman.

Yucca Mountain as a storage location for the Nation's nuclear waste is dead. Even the administration understands that transporting the nuclear waste to a State with no nuclear activity jeopardizes the security of our Nation and is a bad investment of precious taxpayer dollars.

Unfortunately, this bill not only tries to keep the Yucca Mountain project in regulatory limbo, it seeks to block information regarding viable alternatives to Yucca Mountain as a nuclear waste dump.

Yucca Mountain is in my district, and our State has been dealing with this boondoggle project for literally decades. According to the Government Accountability Office, over the past 20

years the proposed site has suffered from gross mismanagement, faulty science and research, contract mismanagement, and, most alarmingly, questions about safety and design of the site and its impacts on its surrounding environment and people.

I am a strong supporter of the need to responsibly develop all of our Nation's energy resources, including nuclear energy. However, the key to my position is the need to be responsible, and continued investment in the storage of nuclear waste at Yucca Mountain does not meet this litmus test.

I continue to be disappointed at the House's insistence of reviving the Yucca Mountain boondoggle. Most recent estimates place the cost of the Yucca Mountain facility at nearly \$100 billion.

□ 0030

Not surprisingly, this estimate seems to increase with each passing year.

Given our current economic climate and our serious debt problems, our Nation cannot afford to continue with this poorly managed project. Congress needs to have a serious discussion about studying reasonable alternatives to Yucca Mountain. If you're concerned about the safety of American citizens and the wise stewardship of tax dollars, then join with me to keep this project out of limbo, acknowledge reality, and move forward on a responsible solution to our Nation's nuclear waste storage issue.

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

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 3 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, the gentleman's amendment would forbid funds for Yucca Mountain, but its most damaging effect is to stop the Nuclear Regulatory Commission from moving ahead with the Yucca Mountain license, application and review process.

Mr. Chairman, the House has overwhelmingly voted multiple times over the last several years to reject the administration's closure of Yucca. The gentleman's amendment would do nothing but support the administration's political manipulations and it will waste over \$12 billion of ratepayers' money.

At this point, Mr. Chairman, I would like to yield 15 seconds to my ranking member, Mr. PASTOR.

Mr. PASTOR of Arizona. I thank the chairman for yielding.

I oppose this amendment and urge my colleagues to join me.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to yield 45 seconds to the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. Mr. Chairman, I rise in strong opposition to my good friend, Mr. HELLER's, amendment.

U.S. taxpayers and electric ratepayers have spent billions of dollars on this project. It is my assumption and my opinion that the Obama administration has acted without authority to close it down. They've certainly acted outside the confines of the Nuclear Waste Policy Act of 1982.

I support the opposition of my good friend from New Jersey and would urge a strong "no" vote on this amendment.

I thank the gentleman for yielding me the time.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 45 seconds to the gentleman from Washington (Mr. HASTINGS).

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. I thank the gentleman for yielding.

I understand why my good friend from Nevada is offering this; he's representing what he thinks is right for his constituents, and I commend him for that. But the fact of the matter is this is the law of the country, this is the repository, period; yet the Department of Energy, in my view, has been operating outside the law for the last year.

Ratepayers have already spent \$10 billion on this. If we terminate this site, we will have other liabilities—in fact, there are already contractual liabilities of \$2 billion that have been let already—plus the expense, if we have to find another repository, will cost taxpayers further billions of dollars.

So I understand why the gentleman is doing this, I think he is incorrect, and I urge that Members vote against his amendment.

The Acting CHAIR. The gentleman from New Jersey has 1 minute remaining.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 30 seconds to the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. I thank the gentleman.

My good friend from Nevada does a wonderful job of representing his district and his State. I believe this, however, is a misguided amendment, respectfully.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. ALTMIRE. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. Mr. Chairman, I also rise in opposition to this amendment. The fact is there is an appeal taking place before the Nuclear Regulatory Commission. A number of States have filed suit, those suits are going to be in court this spring. This is not an issue we should be deciding tonight. I am strongly opposed to the amendment.

Mr. FRELINGHUYSEN. Mr. Chairman, I urge Members to vote against Mr. HELLER's amendment.

I yield back the balance of my time.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. DICKS. I'm just going to take a minute here.

I want to say to my colleagues here, I completely agree with my friend from Washington State, Mr. HASTINGS, the chairman of the Natural Resources Committee, that this violates the law of the land. There is no scientific basis for what is happening here. We have submarines and nuclear power carriers that are offloading waste in Burlington, Washington that go to Idaho that are supposed to go to Yucca Mountain. We made a commitment to the people of Idaho that we would move that waste out of here in the 2025 time frame.

Now this project is being stopped without Congress—I was here when we passed the law, and this is being stopped without Congress changing the law. I think it's a travesty, and we're wasting billions of dollars. We should go ahead and finish this project.

Mr. ALTMIRE. Mr. Chair, I rise today in opposition to Mr. HELLER's amendment to divert federal funding from the Yucca Mountain Nuclear Waste Repository.

Expanding America's nuclear energy industry is vital to strengthening our energy independence and meeting the growing demand of electricity across the country.

While I understand the intent behind the Congressman's amendment, and I respect Mr. HELLER's defense of his district's interests, I do think it is misguided.

Despite your views on the nuclear repository at Yucca Mountain, it is the law of the land and has been congressionally approved. It would be a mistake to zero out the funding that has been authorized and allocated by Congress for this project.

The Department of Energy is currently litigating Yucca Mountain's license application. The funding in this bill is reserved to answer questions about the merits of the project and will help both sides—those who support the repository as well as those who oppose—make their case.

I look forward to working with the gentleman to advance our mutual interest of advancing new and innovative domestic energy production and research and development on advanced energy technologies.

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

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

The agreement was rejected.

AMENDMENT NO. 563 OFFERED BY MRS. NOEM

Mrs. NOEM. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR (Mr. HASTINGS of Washington). The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. No funds made available by this Act may be used to modify the national primary ambient air quality standard or the national secondary ambient air quality standard applicable to coarse particulate matter under section 109 of the Clean Air Act.

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentlewoman from South Dakota (Mrs. NOEM) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentlewoman from South Dakota.

Mrs. NOEM. Mr. Chairman, I offer this amendment because I'm concerned about an EPA rule on the National Primary or Secondary Ambient Air Quality Standards that would make the standard for the amount of coarse particulate matter in the air more stringent.

Last summer, the EPA laid the groundwork to regulate dust at an unprecedented level. We must stop the EPA from any regulation of farm dust.

Anyone who has driven a combine through a field or a pickup down a gravel road knows that dust is a part of rural living. Potentially fining farmers and livestock producers who practice good management with new dust regulations would be excessive and extremely detrimental to our Nation's vital agriculture industry.

Mr. Chairman, it's hard to think of something more emblematic of Washington's regulatory overreach than the potential punishment of farmers and livestock producers for kicking up a little dust. Expanding the coarse particulate matter standard on dust would be a burdensome regulation for farmers and ranchers. My amendment would prohibit the EPA from using any of the funds made available under this act to modify the standard for coarse particulate matter under the Clean Air Act. There is enough uncertainty in farming in rural America. We do not need to add to that uncertainty with the threat of more strict EPA regulations on farm dust.

Farmers are certainly looking for certainty about the future. Burdening them with greater regulations on dust is excessive and unreasonable. For this reason, my amendment is supported by the American Farm Bureau and the National Cattlemen's Beef Association. I urge my colleagues to support the amendment.

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

Mr. MORAN. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. MORAN. Mr. Chairman, the Noem amendment would prevent the EPA from updating air pollution standards for dangerous soot pollution. The Clean Air Act requires that EPA revise the limits on this type of harmful pollution when new science tells us it's necessary to protect human health. EPA hasn't changed this standard since 1987. The amendment would tell EPA though—it would require EPA—to ignore the science. If new science has emerged in the last 24 years that shows that soot pollution is more dangerous than we knew 24 years ago, EPA would have to ignore any new scientific findings.

This amendment applies to one dangerous pollutant, coarse materials. They're so small that they get past the respiratory system's natural defenses and they lodge in our lungs. Scientific studies have linked these particles to a variety of serious health problems, including increased respiratory symptoms in children and premature death in people with heart and lung disease.

Why is the majority party so afraid of science? I don't know as much about particulate matter as the scientists at EPA, but I don't really think you do either. It seems to me we ought to defer to the scientists and respect the public's health.

EPA is charged with protecting the public health. They're doing a pretty good job and we ought to let them do it.

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

Mrs. NOEM. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas (Mr. CRAWFORD).

□ 0040

Mr. CRAWFORD. Like many of my colleagues, I represent a largely rural district. Agriculture is the number one industry in the First District of Arkansas. Farmers there—and across the country, I might add—are facing tough economic challenges like many other businesses today.

Regardless of the production they are engaged in—poultry, cattle, cotton, rice, soybeans, whatever—the chief complaint of farmers in my district is the continued pressure placed on them by the onerous regulatory burdens of the Environmental Protection Agency. Now under the auspices of “clean air,” the EPA wants to regulate dust.

American farmers produce the safest, cheapest, and most abundant food supply on the planet. There are over 300 million mouths to feed in our country, and less than a million farmers engaged in the process of meeting that demand. Not to mention, global demand is growing exponentially where by the year 2050 there will be a total population of over 9 billion people.

Folks, for centuries, America has led the way in agricultural production, and we will continue to be the leading producers of commodities so long as farmers aren't being stifled by crippling regulations and EPA overreach. Government should be aiding our efforts to lead the way in agricultural production, not hindering them. The regulatory regime must come to realize that our food is grown in the dirt and that, in the process of the production of that food, farmers are going to stir up a little dust.

Mr. MORAN. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman has 1½ minutes remaining.

Mr. MORAN. I continue to reserve the balance of my time.

Mrs. NOEM. Mr. Chair, I yield the balance of my time to the gentleman from Idaho (Mr. SIMPSON).

The Acting CHAIR. The gentleman from Idaho is recognized for 15 seconds.

Mr. SIMPSON. How much?

The Acting CHAIR. Thirteen seconds.

Mr. SIMPSON. This is a dang good amendment, and it should pass.

The EPA continually claims that they want certainty, but what they are creating is uncertainty. I can tell you that every rancher and every farmer in Idaho and across this Nation is concerned about what the EPA is trying to do with dust regulations and the impact it is going to have on food production.

Pass this amendment regardless of what they say.

Mr. MORAN. Mr. Chairman, I yield the remaining 1½ minutes to the very distinguished ranking member of the Energy and Commerce Committee, the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman, you would think that EPA is about to regulate these fine particulate matter for the very first time, but that's not accurate.

PM10 is already regulated because EPA had to set a standard to protect the public health. These small particulates can get into your lungs, and they can cause increased respiratory symptoms in children, and can cause premature death in people with heart and lung disease, so EPA sets a standard to protect the public health.

What this amendment would do would be to stop EPA from setting a standard that might be tighter if the science dictates it.

Once they set a standard, EPA does not regulate. EPA leaves it to the States to decide how they will meet that standard. EPA is already talking to the stakeholders in the agricultural communities.

In the past, the vast majority of States has not required farms to take any action that would require reductions of this pollution. Instead, States have typically reduced particles from industrial processes. California and Arizona are addressing agricultural pollution by incorporating USDA-approved conservation measures in some areas.

EPA does not target monitoring in rural areas. They are reaching out to their stakeholders. EPA should not be stopped by this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from South Dakota (Mrs. NOEM).

The question was taken; and the Acting Chair announced that the ayes 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 gentlewoman from South Dakota will be postponed.

AMENDMENT NO. 430 OFFERED BY MR. PITTS

Mr. PITTS. 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:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to pay the salary of any officer or employee of the Department of Health and Human Services, the Department of Labor, or the Department of the Treasury who takes any action to specify or define, through regulations, guidelines, or otherwise, essential benefits under section 1302 of the Patient Protection and Affordable Care Act (42 U.S.C. 18022).

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from Pennsylvania (Mr. PITTS) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PITTS. Mr. Chairman, this is a simple, straightforward amendment. This amendment prevents funds from being used by the Department of Health and Human Services to implement rules regarding ObamaCare's essential benefits package.

As if ObamaCare's mandate that everyone must purchase health insurance wasn't enough, the law went one step further. The Federal Government will now tell every single American and business what their health plans must cover. To make matters worse, ObamaCare grants this unprecedented power to a single person. ObamaCare gives this power to the Secretary of Health and Human Services to determine which benefits are essential for patients, affecting every man, woman and child in America—not to mention that, the more benefits that HHS determines to be essential, the higher the premiums will be for coverage, thus increasing the overall cost for small businesses and families across America.

Behind me is a chart of all the new powers granted to the Secretary under ObamaCare. It was meant to be printed on a 5-foot-by-10-foot chart. Even at this size it's difficult to read, but if you have a magnifying glass, you can actually read this.

ObamaCare has nearly 2,000 of the Secretary's shell statements. The new powers of the Secretary are symptomatic of the vast expansion of Federal control that in many cases usurps State authority and limits private sector autonomy, innovations and its ability to function.

This is bureaucracy at its finest, and it is most destructive. The ability to define minimum benefits is just one of many of the new powers, but it is one of the pivotal ones, and it is precisely why we have pointed out that this is a government takeover of the health industry. I believe patients are capable of deciding which health insurance plans best fit their needs, not a government bureaucrat.

For example, the Federal Government shouldn't tell Mormons in Utah that they need to buy coverage for alcohol counseling. Yet Secretary Sebelius is now in a position to do just

that—and there are many other ridiculous examples like this.

Former HHS Secretary Leavitt's writing today in the Washington Post perfectly describes the outcome of ObamaCare. He wrote: It puts more power than is prudent into the hands of one person, and it is not an answer to our national health care crisis.

There is too much power in one office.

I urge the House to adopt my amendment and to stop the Federal takeover of personal health care decisions.

The Acting CHAIR. The time of the gentleman has expired.

Ms. DELAURO. I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Connecticut is recognized for 3 minutes.

Ms. DELAURO. I must say that I think I'm in the movie "Groundhog Day." How many times do we have to vote to defund the Affordable Care Act in one day?

Mr. Chairman, this amendment will stop the implementation of essential health benefits. These rules will ensure that a minimum level of quality health coverage will be covered by plans available on the exchanges. We are talking about benefits related to things like hospitalization, emergency services, maternity care, newborn care, mental health care. This ensures that every plan on the exchange meets minimum standards. It protects individuals and small businesses. It allows them to pick out their plans with the confidence that they will be able to get the adequate kinds of coverage that they need.

Why does the majority want to stand between consumers and the information they need?

I urge my colleagues to please oppose this amendment.

I yield my remaining time to the gentleman from New Jersey (Mr. PALLONE).

The Acting CHAIR. The gentleman is recognized for 1¾ minutes.

Mr. PALLONE. The problem for American consumers is that the insurance company gouges them with high premiums and gives them lousy benefits. So all we've been trying to do with health care reform is make it possible for a consumer to get an affordable policy and to have a decent benefits package.

I, for the life of me, don't understand why the Republicans don't want that to happen. Why do they want the consumer not to be able to get affordable insurance or to be able to get decent benefits?

□ 0050

People are amazed because they expect that their insurance policy is going to provide physician care, hospital care, emergency care, prescription drugs, and oftentimes it doesn't even provide all these things. So there should be an essential benefit package.

If you're a big corporation, you can go out and get a nice benefit package

for employees, and you can get an affordable policy. But if you're a small business or you're an individual, you can't do it. So all we're doing is trying to level the playing field so that the little guy can get the good benefit package and get the affordable insurance just like the big corporation.

Again, I don't understand why our Republican friends would not want that to happen. And it's just practical. It's just a practical solution here.

If you pass this amendment, then we're going to go back to the same thing again where that average American can't get the good policy and can't get affordable insurance. It's not fair. It's an issue of fairness. So oppose this amendment.

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

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

Ms. DELAURO. 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 Pennsylvania will be postponed.

AMENDMENT NO. 241 OFFERED BY MR. CARNEY

Mr. CARNEY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used for the Oil and Gas Research and Development Program of the Department of Energy.

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from Delaware (Mr. CARNEY) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from Delaware.

Mr. CARNEY. Mr. Chairman, my amendment is simple and straightforward. It would eliminate funding for the \$50 million oil and gas research and development program funded through the Department of Energy's fossil energy R&D account.

This cut, which the President also proposed in his FY12 budget, would save the taxpayers money and end an unnecessary subsidy to the oil and gas industry.

I am proposing elimination of this R&D program because the research is being done and should be done by the industry itself.

Don't just take my word for it. The industry itself is doing the job and says so. There is an ad in today's edition of The Hill newspaper on the back which says, in part, this is placed here by the people of America's oil and natural gas industry; that oil and natural gas companies are leading innovators investing hundreds of billions of dollars in innovative technology and capital projects over the past decade.

We should be using our scarce Federal dollars on clean energy innovation that we need to reduce greenhouse gas emissions, create jobs, and to stay competitive globally.

This continuing resolution would cut over \$2 billion in renewable energy research and development. At a time when we are looking to cut unnecessary spending, the oil and gas R&D program should be on the chopping block as well.

The oil and gas industry has ample resources to develop these technologies without this Federal subsidy. A recent GAO report found that the industry spends over \$2 billion of its own money annually on R&D.

This \$50 million cut to an R&D program for the oil and gas industry is the right way to cut spending, and I urge my colleagues to join me in supporting the amendment.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 3 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, the amendment uses a heavy-handed approach in order to shut down important programs at the Department of Energy.

Fossil energy sources supply more than 80 percent of our Nation's total energy. Using these resources more efficiently and more cleanly and developing technologies that can access new domestic sources are extremely important when so much of our energy depends on fossil fuels.

This amendment would stop programs that do just that. For example, it would prevent work like the development of ultra-clean fuels.

There may be some areas of research in which the private sector does not need help, but there are other areas of research which are too risky for industry to take on.

I oppose the amendment.

I am pleased to yield to my ranking, Mr. PASTOR, for any comments he may wish to make.

Mr. PASTOR of Arizona. I thank the chairman for yielding.

Mr. Chairman, I also rise to oppose the amendment.

The amendment prohibits funds from being used for oil and gas research. Without this amendment, the Department of Energy would spend \$38 million during the year. As my chairman points out, fossil fuel sources are and will continue to be a large part of our energy mix.

Given the importance of research and development in this area, it is necessary to improve the efficiency in the environmental cost of fossil fuels. Further, stopping programs mid year, which this would do, results in costs associated with terminating ongoing work.

I am committed to working with the gentleman to review the balance of funding as we move forward, but I can-

not support the amendment at this time.

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

The Acting CHAIR. The gentleman from Delaware is recognized for 1 minute.

Mr. CARNEY. Mr. Chairman, my point is that the industry itself is doing this research and development and should do it without a Federal subsidy. I mentioned the full-page ad in today's edition of The Hill newspaper, which says that they are doing this.

We shouldn't be subsidizing an industry that's mature and profitable. We need to be spending money on renewable energy sources so that we can reduce greenhouse gas emissions. Instead, in this continuing resolution, we're cutting \$2 billion out of research and development for new energy sources.

I don't object to research and development going on for traditional oil and gas industry, but the industry itself ought to be doing that research.

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

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

Mr. CARNEY. 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 Delaware will be postponed.

AMENDMENT NO. 164 OFFERED BY MR. MULVANEY

Mr. MULVANEY. 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:

At the end of the bill (before the short title), insert the following:

SEC. ____ . (a) None of the funds made available by this Act for any account may be used in excess of the amount available for such account during fiscal year 2006.

(b) Subsection (a) shall not apply to funds made available—

(1) by division A;

(2) by section 1101(a)(3) and title VI of division B;

(3) by section 1101(a)(6) (with respect to division E of Public Law 111-117) and title X of division B; or

(4) for Israel, by section 1101(a)(6) (with respect to division F of Public Law 111-117) and title XI of division B.

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. MULVANEY. I want to briefly begin by thanking the Appropriations Committee. I understand the nature of what has been happening here, the size of the taxpayer savings that we have seen over the last 3 days.

But I rise because the debt and the deficit problem facing our Nation are

greater than I think most people in this room understand, and certainly most people back home understand. The circumstances demand that we go just a little bit further than we have and that's what this amendment does. It goes just a little bit further.

It takes non-defense discretionary spending back to 2006 levels instead of 2008. That represents an additional 3 percent savings, which on the one hand doesn't sound like that much, but on the other hand actually saves \$134 billion of the \$900 billion worth of deficits that we will incur between tomorrow and the rest of this year.

Folks have asked me why I have done this, why I have waited 3 years to do it, why we are here at 1 o'clock in the morning to hear this amendment. I am doing it because I feel that most of the folks don't grasp the size of the difficulty. I know that most of the folks in my district don't grasp it yet. And I have been struggling with how to explain to people exactly what a \$1,600 billion deficit means and a \$14,000 billion debt.

This chart, I think, does it better than anything else. This chart is something that we put together using Congressional Budget Office numbers from the base line. This number, very simply, ladies and gentlemen, shows when we will use 100 percent of our revenues, 100 percent of our revenues, to pay our debt.

And that number, using the CBO estimates, is in 2055. This is the equivalent of going back to your family and saying everything that we make will go to pay down the minimum payment on our credit card. And this number is probably too late. The CBO estimates on interest are much lower than we are actually experiencing in the market these days.

The scary part is that if we don't do anything, if we continue business as usual, this will happen. This will happen unless we make dramatic changes to the way that we do business around here.

I heard the gentleman from Virginia earlier today, Mr. MORAN, mention that he thought that H.R. 1 represented an economic death spiral. This, ladies and gentlemen, is an economic death spiral. There is no coming back from a situation where you use all of your money just to pay your debt.

We can and will begin work on this this year in the budget. We can and will continue work on this as we go through the debt ceiling debate. And we can and should keep this in mind with everything that we do. But in my humble opinion, we can start tonight by approving this amendment.

I reserve the balance of my time.

□ 0100

Mr. DICKS. I rise in opposition to the amendment.

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

Mr. DICKS. To make cuts back to the 2006 level for defense, homeland security, and veterans affairs would do

enormous damage to the country. I mean we would be talking about \$65, \$70 billion in defense, homeland security. And VA would be very substantial as well. I just think of the VA health care benefits that were increased by our Members of Congress working on a bipartisan basis, our former colleague Chet Edwards. We increased health care to take care of the problems associated with the veterans coming back and needing post-traumatic disorder, traumatic brain injury, needing all kinds of help.

We have thousands of veterans today who are homeless. So taking these levels back to 2006, in my judgment, would do devastation to this part of the budget. So I urge a “no” vote on this amendment, and I reserve my time.

Mr. MULVANEY. With all due respect to the ranking member, I was not clear. This amendment does not take defense, homeland security, or VA back to 2006 levels. Only non-defense, non-security discretionary spending.

Mr. DICKS. I would yield to the gentleman just to say we had a different description of your amendment. I regret that there were inaccuracies.

But even for the rest of the government, I think the amendment going back to 2006 is too severe. And as the chairman would say, it is an across-the-board cut, give all the authority to OMB. I am with HAL ROGERS, it’s not a good idea. Let’s defeat the amendment. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

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

Mr. MULVANEY. 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 South Carolina 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 the CONGRESSIONAL RECORD on which further proceedings were postponed, in the following order:

Amendment No. 377 by Mr. FLAKE of Arizona.

Amendment No. 166 by Mr. GUINTA of New Hampshire.

Amendment No. 495 by Mr. HALL of Texas.

Amendment No. 141 by Ms. LEE of California.

Amendment No. 109 by Mr. GRIFFITH of Virginia.

Amendment No. 548 by Mr. JONES of North Carolina.

Amendment No. 47 by Mr. LUETKEMEYER of Missouri.

Amendment No. 149 by Mr. LUETKEMEYER of Missouri.

Amendment No. 569 by Mr. ISSA of California.

Amendment No. 94 by Mr. SULLIVAN of Oklahoma.

Amendment No. 216 by Mr. MCKINLEY of West Virginia.

Amendment No. 217 by Mr. MCKINLEY of West Virginia.

Amendment No. 545 by Mr. POMPEO of Kansas.

Amendment No. 200 by Mr. BURGESS of Texas.

Amendment No. 482 by Mr. HELLER of Nevada.

Amendment No. 563 by Mrs. NOEM of South Dakota.

Amendment No. 430 by Mr. PITTS of Pennsylvania.

Amendment No. 241 by Mr. CARNEY of Delaware.

Amendment No. 164 by Mr. MULVANEY of South Carolina.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 377 OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) 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 vote was taken by electronic device, and there were—ayes 261, noes 158, not voting 14, as follows:

[Roll No. 125]

AYES—261

Adams	Clay	Gibson
Akin	Coble	Gingrey (GA)
Alexander	Coffman (CO)	Gohmert
Altmire	Cohen	Goodlatte
Amash	Cole	Gosar
Andrews	Conaway	Govdy
Bachmann	Connolly (VA)	Granger
Bachus	Cooper	Graves (GA)
Barletta	Costa	Green, Gene
Bartlett	Courtney	Griffin (AR)
Barton (TX)	Cravaack	Griffith (VA)
Bass (CA)	Crawford	Grijalva
Becerra	Crowley	Grimm
Benishek	Cuellar	Guinta
Berkley	Culberson	Guthrie
Berman	Davis (CA)	Hall
Biggart	Davis (KY)	Hanna
Bilbray	DeFazio	Harris
Bilirakis	DeLauro	Hastings (FL)
Bishop (UT)	Denham	Hayworth
Black	Dent	Heinrich
Blackburn	DesJarlais	Heller
Blumenauer	Deutch	Hensarling
Bono Mack	Doggett	Herger
Boustany	Dold	Higgins
Brady (TX)	Dreier	Hinchev
Brooks	Duffy	Huizenga (MI)
Broun (GA)	Duncan (SC)	Hunter
Buchanan	Duncan (TN)	Hurt
Buerkle	Ellison	Issa
Burgess	Ellmers	Jenkins
Burton (IN)	Eshoo	Johnson, Sam
Calvert	Farenthold	Jordan
Campbell	Flake	Kelly
Canseco	Fleischmann	King (NY)
Cantor	Fleming	Kingston
Capito	Flores	Kline
Cardoza	Forbes	Labrador
Carter	Foxx	Lamborn
Cassidy	Frank (MA)	Lance
Castor (FL)	Franks (AZ)	Landry
Chabot	Frelinghuysen	Lankford
Chaffetz	Galleghy	Larson (CT)
Chandler	Garrett	Levin

Lewis (CA)	Olson	Serrano
Lewis (GA)	Oliver	Sessions
Lipinski	Palazzo	Sherman
LoBiondo	Pascarell	Simpson
Lofgren, Zoe	Paulsen	Slaughter
Long	Pearce	Smith (NJ)
Lujan	Pence	Smith (TX)
Lummis	Petri	Smith (WA)
Lungren, Daniel E.	Pingree (ME)	Southerland
Lynch	Pitts	Speier
Mack	Poe (TX)	Stearns
Maloney	Polis	Stutzman
Marchant	Pompeo	Sullivan
Marino	Posey	Thompson (CA)
Matheson	Price (GA)	Thompson (PA)
Matsui	Quigley	Thornberry
McCarthy (CA)	Rahall	Tiberi
McCaul	Reed	Tierney
McClintock	Reichert	Tipton
McCotter	Renacci	Tonko
McDermott	Reyes	Upton
McGovern	Ribble	Van Hollen
McHenry	Rigell	Velázquez
McKeon	Roe (TN)	Walberg
McKinley	Rogers (MI)	Walden
McMorris	Rohrabacher	Walsh (IL)
Rodgers	Rokita	Waters
Mica	Roskam	Webster
Michaud	Ross (FL)	Weiner
Miller (FL)	Rothman (NJ)	Welch
Miller (MI)	Royce	West
Miller, Gary	Runyan	Westmoreland
Miller, George	Ryan (WI)	Wilson (SC)
Mulvaney	Sánchez, Linda T.	Wittman
Murphy (CT)	Sanchez, Loretta	Wolf
Murphy (PA)	Sarbanes	Womack
Myrick	Scalise	Woodall
Nadler	Schiff	Woolsey
Napolitano	Schrader	Wu
Neugebauer	Schweikert	Yarmuth
Nugent	Scott (SC)	Yoder
Nunes	Scott, Austin	Young (AK)
Nunnelee	Sensenbrenner	Young (FL)
		Young (IN)

NOES—158

Ackerman	Garamendi	Meehan
Aderholt	Gardner	Miller (NC)
Austria	Gerlach	Moore
Baca	Gibbs	Moran
Baldwin	Gonzalez	Neal
Barrow	Graves (MO)	Noem
Bass (NH)	Green, Al	Owens
Berg	Gutierrez	Pallone
Bishop (GA)	Hanabusa	Pastor (AZ)
Bishop (NY)	Harper	Payne
Bonner	Hartzler	Pelosi
Boren	Hastings (WA)	Perlmutter
Boswell	Heck	Peterson
Brady (PA)	Hirono	Platts
Braley (IA)	Holden	Price (NC)
Brown (FL)	Holt	Rangel
Bucshon	Honda	Rehberg
Butterfield	Hoyer	Richardson
Camp	Huelskamp	Richmond
Capps	Hultgren	Rivera
Capuano	Inlee	Roby
Carnahan	Israel	Rogers (AL)
Carney	Jackson (IL)	Rogers (KY)
Carson (IN)	Jackson Lee	Rooney
Chu	(TX)	Ros-Lehtinen
Cicilline	Johnson (GA)	Ross (AR)
Clarke (MI)	Johnson (IL)	Royal-Allard
Clarke (NY)	Johnson (OH)	Ruppersberger
Cleaver	Johnson, E. B.	Rush
Clyburn	Jones	Kaptur
Conyers	Kaptur	Keating
Costello	Keating	Kildee
Crenshaw	Kildee	Kind
Critz	Kind	King (IA)
Cummings	King (IA)	Kinzinger (IL)
Davis (IL)	Kinzinger (IL)	Kissell
DeGette	Kissell	Kucinich
Diaz-Balart	Kucinich	Langevin
Dicks	Langevin	Larsen (WA)
Dingell	Larsen (WA)	Latham
Donnelly (IN)	Latham	LaTourette
Doyle	LaTourette	Latta
Edwards	Latta	Lee (CA)
Emerson	Lee (CA)	Loeback
Engel	Loeback	Lowey
Farr	Lowey	Lucas
Fattah	Lucas	Luetkemeyer
Finer	Luetkemeyer	Manzullo
Fincher	Manzullo	Markey
Fitzpatrick	Markey	Fortenberry
Fortenberry	McIntyre	Fudge
Fudge	McNerney	

Walz (MN) Watt
 Wasserman Waxman
 Schultz Whitfield

NOT VOTING—14

Giffords McCarthy (NY) Quayle
 Harman McCollum Shuster
 Herrera Beutler Meeks Stark
 Himes Paul Wilson (FL)
 Hinojosa Peters

Granger
 Graves (GA)
 Graves (MO)
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hall
 Hanna
 Harper
 Harris
 Hartzler
 Hastings (WA)
 Hayworth
 Heck
 Heller
 Hensarling
 Herger
 Huelskamp
 Huizenga (MI)
 Hunter
 Hurt
 Issa
 Jenkins
 Johnson (OH)
 Johnson, Sam
 Jones
 Jordan
 Kelly
 King (IA)
 Kingston
 Kinzinger (IL)
 Kline
 Labrador
 Lamborn
 Landry
 Lankford
 Latham
 Latta
 Lewis (CA)
 Long
 Lucas
 Luetkemeyer

Lummis
 Lungren, Daniel
 E.
 Mack
 Manullo
 Marchant
 Marino
 McCarthy (CA)
 McCaul
 McClintock
 McHenry
 McKeon
 McMorris
 Rodgers
 Meehan
 Mica
 Miller (FL)
 Miller, Gary
 Mulvaney
 Myrick
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Palazzo
 Paulsen
 Pearce
 Pence
 Pitts
 Platts
 Poe (TX)
 Pompeo
 Posey
 Price (GA)
 Reed
 Rehberg
 Renacci
 Ribble
 Rigell
 Rivera
 Roby
 Roe (TN)

Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Roskam
 Ross (FL)
 Royce
 Runyan
 Scalise
 Schweikert
 Scott (SC)
 Scott, Austin
 Sensenbrenner
 Sessions
 Simpson
 Smith (NE)
 Smith (TX)
 Southerland
 Stearns
 Stivers
 Stutzman
 Sullivan
 Terry
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Upton
 Walberg
 Walden
 Webster
 West
 Westmoreland
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Woodall
 Yoder
 Young (FL)
 Young (IN)

Rothman (NJ)
 Roybal-Allard
 Ruppersberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schilling
 Schmidt
 Schock
 Schrader
 Schwartz
 Scott (VA)

Scott, David
 Serrano
 Sewell
 Sherman
 Shimkus
 Shuler
 Sires
 Slaughter
 Smith (NJ)
 Smith (WA)
 Speier
 Sutton
 Thompson (CA)
 Thompson (MS)
 Tierney
 Tonko
 Towns
 Tsongas

Turner
 Van Hollen
 Velázquez
 Vislosky
 Walsh (IL)
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Weiner
 Welch
 Whitfield
 Woolsey
 Wu
 Yarmuth
 Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR
 The Acting CHAIR (during the vote).
 One minute remains on this vote.

□ 0127

Messrs. CICILLINE, FINCHER, FARR, REHBERG, and JOHNSON of Ohio changed their vote from “aye” to “no.”

Messrs. LEVIN, McDERMOTT, HIGGINS, FRANK of Massachusetts, ALTMIRE, HUIZENGA of Michigan, BERMAN, TIERNEY, COURTNEY, HARRIS, SERRANO, RAHALL, LARSON of Connecticut, GUTHRIE, HASTINGS of Florida, DEUTCH, MURPHY of Connecticut, LEWIS of Georgia, Ms. ZOE LOFGREN of California, Ms. WATERS, Ms. MATSUI, Ms. DELAURO, and Ms. VELÁZQUEZ 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. 166 OFFERED BY MR. GUINTA
 The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Hampshire (Mr. GUINTA) 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 210, noes 210, not voting 13, as follows:

[Roll No. 126]

AYES—210

Adams Buerkle Duffy
 Aderholt Burgess Duncan (SC)
 Akin Burton (IN) Duncan (TN)
 Amash Calvert Ellmers
 Austria Camp Farenthold
 Bachmann Campbell Fincher
 Bachus Canseco Fitzpatrick
 Barletta Cantor Flake
 Bartlett Capito Fleischmann
 Barton (TX) Carter Fleming
 Bass (NH) Cassidy Flores
 Benishek Chabot Forbes
 Berg Chaffetz Fortenberry
 Biggert Coble Foxx
 Bilbray Coffman (CO) Franks (AZ)
 Bilirakis Cole Frelinghuysen
 Bishop (UT) Conaway Gallegly
 Black Cravaack Gardner
 Blackburn Crawford Garrett
 Bonner Crenshaw Gerlach
 Bono Mack Culberson Gibbs
 Boustany Davis (KY) Gibson
 Brady (TX) Denham (GA)
 Brooks Dent Gohmert
 Brown (GA) DesJarlais Goodlatte
 Buchanan Dold Gosar
 Bucshon Dreier Gowdy

Ackerman
 Alexander
 Altmire
 Andrews
 Baca
 Baldwin
 Barrow
 Bass (CA)
 Becerra
 Berkley
 Berman
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Boren
 Boswell
 Brady (PA)
 Braley (IA)
 Brown (FL)
 Butterfield
 Capps
 Capuano
 Cardoza
 Carnahan
 Carney
 Carson (IN)
 Castor (FL)
 Chandler
 Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connelly (VA)
 Conyers
 Cooper
 Costa
 Costello
 Courtney
 Critz
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 Davis (IL)
 DeFazio
 DeGette
 DeLauro
 Deutch
 Diaz-Balart

NOES—210

Dicks
 Dingell
 Doggett
 Donnelly (IN)
 Doyle
 Edwards
 Ellison
 Emerson
 Engel
 Eshoo
 Farr
 Fattah
 Filner
 Frank (MA)
 Fudge
 Garamendi
 Gonzalez
 Green, Al
 Green, Gene
 Grijalva
 Guterrez
 Hanabusa
 Hastings (FL)
 Heinrich
 Himes
 Hinchey
 Hirono
 Holden
 Holt
 Honda
 Hoyer
 Hultgren
 Insee
 Israel
 Jackson (IL)
 Jackson Lee
 (TX)
 Johnson (GA)
 Johnson (IL)
 Johnson, E. B.
 Kaptur
 Keating
 Kildee
 Kind
 King (NY)
 Kissell
 Kucinich
 Lance
 Langevin
 Larsen (WA)
 Larson (CT)
 LaTourette

Lee (CA)
 Levin
 Lewis (GA)
 Lipinski
 LoBiondo
 Loeback
 Lofgren, Zoe
 Lowey
 Luján
 Lynch
 Maloney
 Markey
 Matheson
 Matsui
 McCotter
 McDermott
 McGovern
 McIntyre
 McKinley
 McNERNEY
 Michaud
 Miller (MI)
 Miller (NC)
 Miller, George
 Moore
 Moran
 Murphy (CT)
 Murphy (PA)
 Nadler
 Napolitano
 Neal
 Olver
 Owens
 Pallone
 Pascarell
 Pastor (AZ)
 Payne
 Pelosi
 Perlmutter
 Peterson
 Petri
 Pingree (ME)
 Polis
 Price (NC)
 Quigley
 Rahall
 Rangel
 Reichert
 Reyes
 Richardson
 Richmond
 Ros-Lehtinen
 Ross (AR)

NOT VOTING—13

Giffords
 Harman
 Herrera Beutler
 Hinojosa
 McCarthy (NY)

McCollum
 Paul
 Peters
 Quayle

Shuster
 Stark
 Wilson (FL)

□ 0131

So the amendment was agreed to.
 The result of the vote was announced as above recorded.

AMENDMENT NO. 495 OFFERED BY MR. HALL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. HALL) 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 Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 187, not voting 13, as follows:

[Roll No. 127]

AYES—233

Adams Cassidy Gerlach
 Aderholt Chabot Gibbs
 Akin Chaffetz Gibson
 Alexander Coble Gohmert
 Altmire Coffman (CO) Goodlatte
 Amash Cole Gosar
 Austria Conaway Gowdy
 Bachmann Cravaack Granger
 Bachus Crawford Graves (GA)
 Barletta Crenshaw Graves (MO)
 Bartlett Culberson Griffin (AR)
 Barton (TX) Davis (KY) Grimm
 Benishek Denham Guinta
 Berg Dent Guthrie
 Biggert DesJarlais Hall
 Bilirakis Diaz-Balart Hanna
 Bishop (UT) Dold Harper
 Black Dreier Harris
 Blackburn Duffy Hartzler
 Bonner Duncan (SC) Hastings (WA)
 Boren Duncan (TN) Heck
 Boustany Ellmers Heller
 Brady (TX) Emerson Hensarling
 Brooks Farenthold Herger
 Brown (GA) Fincher Huelskamp
 Buchanan Fitzpatrick Huizenga (MI)
 Bucshon Flake Hultgren
 Buerkle Fleischmann Hunter
 Burgess Fleming Hurt
 Burton (IN) Flores Issa
 Calvert Forbes Jenkins
 Camp Foxx Johnson (IL)
 Campbell Franks (AZ) Johnson (OH)
 Canseco Frelinghuysen Johnson, Sam
 Cantor Gallegly Jones
 Capito Gardner Jordan
 Carter Garrett Kelly

King (IA) Neugebauer
 King (NY) Noem
 Kingston Nugent
 Kinzinger (IL) Nunes
 Kline Nunnelee
 Labrador Olson
 Lamborn Palazzo
 Lance Paulsen
 Landry Pearce
 Lankford Pence
 Latham Peterson
 Latta Petri
 Lewis (CA) Pitts
 LoBiondo Platts
 Long Poe (TX)
 Lucas Pompeo
 Luetkemeyer Posey
 Lummis Price (GA)
 Lungren, Daniel E. Rahall
 Mack Reed
 Manzullo Rehberg
 Marchant Renacci
 Marino Ribble
 McCarthy (CA) Rigell
 McCaul Rivera
 McClintock Roby
 McCotter Roe (TN)
 McHenry Rogers (AL)
 McIntyre Rogers (KY)
 McKeon Rogers (MI)
 McKinley Rohrabacher
 McMorris Rokita
 Rodgers Rooney
 Meehan Roskam
 Mica Ross (AR)
 Miller (FL) Ross (FL)
 Miller (MI) Royce
 Miller, Gary Runyan
 Mulvaney Ryan (WI)
 Murphy (PA) Scalise
 Myrick Schilling

NOES—187

Ackerman Donnelly (IN)
 Andrews Doyle
 Baca Edwards
 Baldwin Ellison
 Barrow Engel
 Bass (CA) Eshoo
 Bass (NH) Farr
 Becerra Fattah
 Berkley Filner
 Berman Fortenberry
 Bilbray Frank (MA)
 Bishop (GA) Fudge
 Bishop (NY) Garamendi
 Blumenauer Gonzalez
 Bono Mack Green, Al
 Boswell Green, Gene
 Brady (PA) Griffith (VA)
 Braley (IA) Grijalva
 Brown (FL) Gutierrez
 Butterfield Hanabusa
 Capps Hastings (FL)
 Capuano Hayworth
 Cardoza Heinrich
 Carnahan Herrera Beutler
 Carney Higgins
 Carson (IN) Himes
 Castor (FL) Hinchey
 Chandler Hirono
 Chu Holden
 Cicilline Holt
 Clarke (MI) Honda
 Clarke (NY) Hoyer
 Clay Israel
 Cleaver Jackson (IL)
 Cohen Jackson Lee
 Connolly (VA) (TX)
 Conyers Johnson (GA)
 Cooper Johnson, E. B.
 Costa Kaptur
 Costello Keating
 Courtney Kildee
 Critz Kind
 Crowley Kissell
 Cuellar Kucinich
 Cummings Langevin
 Davis (CA) Larsen (WA)
 Davis (IL) Larson (CT)
 DeFazio LaTourette
 DeGette Lee (CA)
 DeLauro Levin
 Deutch Lewis (GA)
 Dicks Lipinski
 Dingell Loeb sack
 Doggett Lofgren, Zoe

Schmidt Sires
 Schock Slaughte
 Schweikert Smith (WA)
 Scott (SC) Speier
 Scott, Austin Sutton
 Sensenbrenner Thompson (CA)
 Sessions Thompson (MS)
 Shimkus Tierney
 Simpson Tonko
 Smith (NE) Smith (NJ)
 Smith (TX) Smith (TX)
 Southerland Southernland
 Stearns Stearns
 Stivers Stivers
 Stutzman Stutzman
 Sullivan Sullivan
 Terry Terry
 Thompson (PA) Thompson (PA)
 Thornberry Thornberry
 Tiberi Tiberi
 Tipton Tipton
 Turner Turner
 Upton Upton
 Walberg Walberg
 Walden Walden
 Walsh (IL) Walsh (IL)
 Webster Webster
 West West
 Westmoreland Westmoreland
 Whitfield Whitfield
 Wilson (SC) Wilson (SC)
 Wittman Wittman
 Wolf Wolf
 Womack Womack
 Woodall Woodall
 Yoder Yoder
 Young (AK) Young (AK)
 Young (FL) Young (FL)
 Young (IN) Young (IN)

Giffords Giffords
 Gingrey (GA) Gingrey (GA)
 Harman Harman
 Hinojosa Hinojosa
 McCarthy (NY) McCarthy (NY)

ANNOUNCEMENT BY THE ACTING CHAIR
 The Acting CHAIR (during the vote).
 There is 1 minute remaining in this vote.

□ 0135

So the amendment was agreed to.
 The result of the vote was announced as above recorded.

AMENDMENT NO. 141 OFFERED BY MS. LEE
 The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. 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 is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 76, noes 344, not voting 13, as follows:

[Roll No. 128]

AYES—76

Amash Amash
 Baldwin Baldwin
 Bass (CA) Bass (CA)
 Becerra Becerra
 Blumenauer Blumenauer
 Braley (IA) Braley (IA)
 Campbell Campbell
 Capuano Capuano
 Chu Chu
 Cicilline Cicilline
 Clarke (NY) Clarke (NY)
 Clay Clay
 Cleaver Cleaver
 Cohen Cohen
 Conyers Conyers
 Cummings Cummings
 Davis (IL) Davis (IL)
 DeFazio DeFazio
 Doggett Doggett
 Markey Markey
 McDermott McDermott
 McGovern McGovern
 Edwards Edwards
 Ellison Ellison
 Eshoo Eshoo
 Fattah Fattah
 Filner Filner
 Frank (MA) Frank (MA)
 Fudge Fudge
 Grijalva Grijalva
 Gutierrez Gutierrez
 Hastings (FL) Hastings (FL)
 Holt Holt
 Honda Honda
 Insee Insee
 Jackson (IL) Jackson (IL)
 Jackson Lee Jackson Lee
 Johnson (IL) Johnson (IL)
 Johnson, E. B. Johnson, E. B.
 Kucinich Kucinich
 Lee (CA) Lee (CA)
 Lewis (GA) Lewis (GA)
 Lofgren, Zoe Lofgren, Zoe
 Maloney Maloney
 Markey Markey
 McDermott McDermott
 McGovern McGovern
 McNeerney McNeerney
 Miller, George Miller, George
 Moore Moore
 Nadler Nadler
 Napolitano Napolitano
 Oliver Oliver

NOES—344

Ackerman Ackerman
 Adams Adams
 Aderholt Aderholt
 Akin Akin
 Alexander Alexander
 Berg Berg
 Berkley Berkley
 Berman Berman
 Baca Baca
 Bachmann Bachmann
 Bachus Bachus
 Barletta Barletta
 Barrow Barrow
 Bartlett Bartlett
 Barton (TX) Barton (TX)
 Bass (NH) Bass (NH)
 Benishek Benishek
 Berg Berg
 Berkley Berkley
 Berman Berman
 Biggart Biggart
 Bilbray Bilbray
 Bilirakis Bilirakis
 Bishop (GA) Bishop (GA)

Broun (GA) Broun (GA)
 Brown (FL) Brown (FL)
 Buchanan Buchanan
 Bucshon Bucshon
 Buerkle Buerkle
 Burgess Burgess
 Burton (IN) Burton (IN)
 Butterfield Butterfield
 Calvert Calvert
 Camp Camp
 Canseco Canseco
 Cantor Cantor
 Capito Capito
 Capps Capps
 Cardoza Cardoza
 Carnahan Carnahan
 Carney Carney
 Carson (IN) Carson (IN)
 Carter Carter
 Cassidy Cassidy
 Castor (FL) Castor (FL)
 Chabot Chabot
 Chaffetz Chaffetz
 Chandler Chandler
 Clarke (MI) Clarke (MI)
 Clyburn Clyburn
 Coble Coble
 Coffman (CO) Coffman (CO)
 Cole Cole
 Conaway Conaway
 Connolly (VA) Connolly (VA)
 Cooper Cooper
 Costa Costa
 Costello Costello
 Courtney Courtney
 Cravaack Cravaack
 Crawford Crawford
 Crenshaw Crenshaw
 Critz Critz
 Crowley Crowley
 Cuellar Cuellar
 Culberson Culberson
 Davis (CA) Davis (CA)
 Davis (KY) Davis (KY)
 DeGette DeGette
 DeLauro DeLauro
 Denham Denham
 Dent Dent
 DesJarlais DesJarlais
 Deutch Deutch
 Diaz-Balart Diaz-Balart
 Dicks Dicks
 Dingell Dingell
 Dold Dold
 Donnelly (IN) Donnelly (IN)
 Doyle Doyle
 Dreier Dreier
 Duffy Duffy
 Duncan (SC) Duncan (SC)
 Ellmers Ellmers
 Emerson Emerson
 Engel Engel
 Farenthold Farenthold
 Farr Farr
 Fincher Fincher
 Fitzpatrick Fitzpatrick
 Flake Flake
 Fleischmann Fleischmann
 Fleming Fleming
 Flores Flores
 Forbes Forbes
 Fortenberry Fortenberry
 Foss Foss
 Franks (AZ) Franks (AZ)
 Frelinghuysen Frelinghuysen
 Gallegly Gallegly
 Garamendi Garamendi
 Gardner Gardner
 Garrett Garrett
 Gerlach Gerlach
 Gibbs Gibbs
 Gibson Gibson
 Gingrey (GA) Gingrey (GA)
 Gohmert Gohmert
 Gonzalez Gonzalez
 Goodlatte Goodlatte
 Gosar Gosar
 Gowdy Gowdy
 Granger Granger
 Graves (GA) Graves (GA)
 Graves (MO) Graves (MO)
 Green, Al Green, Al
 Green, Gene Green, Gene
 Griffin (AR) Griffin (AR)
 Griffith (VA) Griffith (VA)
 Grimm Grimm
 Guinta Guinta
 Guthrie Guthrie
 Hall Hall
 Hanabusa Hanabusa
 Hanna Hanna
 Harris Harris
 Hartzler Hartzler
 Hastings (WA) Hastings (WA)
 Hayworth Hayworth
 Heck Heck
 Heinrich Heinrich
 Heller Heller
 Hensarling Hensarling
 Herger Herger
 Herrera Beutler Herrera Beutler
 Higgins Higgins
 Himes Himes
 Hinchey Hinchey
 Hirono Hirono
 Holden Holden
 Hoyer Hoyer
 Huelskamp Huelskamp
 Huizenga (MI) Huizenga (MI)
 Hultgren Hultgren
 Hunter Hunter
 Hurt Hurt
 Israel Israel
 Issa Issa
 Jenkins Jenkins
 Johnson (GA) Johnson (GA)
 Johnson (OH) Johnson (OH)
 Johnson, Sam Johnson, Sam
 Jones Jones
 Jordan Jordan
 Kaptur Kaptur
 Keating Keating
 Kelly Kelly
 Kildee Kildee
 Kind Kind
 King (IA) King (IA)
 King (NY) King (NY)
 Kingston Kingston
 Kinzinger (IL) Kinzinger (IL)
 Kissell Kissell
 Kline Kline
 Labrador Labrador
 Lamborn Lamborn
 Lance Lance
 Landry Landry
 Langevin Langevin
 Lankford Lankford
 Larsen (WA) Larsen (WA)
 Larson (CT) Larson (CT)
 Latham Latham
 LaTourette LaTourette
 Latta Latta
 Levin Levin
 Lewis (CA) Lewis (CA)
 Doyle Doyle
 Lipinski Lipinski
 LoBiondo LoBiondo
 Loeb sack Loeb sack
 Long Long
 Lowey Lowey
 Lucas Lucas
 Luetkemeyer Luetkemeyer
 Lujan Lujan
 Lummis Lummis
 Lungren, Daniel E. Lungren, Daniel E.
 Lynch Lynch
 Mack Mack
 Manzullo Manzullo
 Marchant Marchant
 Marino Marino
 Matheson Matheson
 Matsui Matsui
 McCarthy (CA) McCarthy (CA)
 McCaul McCaul
 McClintock McClintock
 McCotter McCotter
 McHenry McHenry
 McIntyre McIntyre
 McKeon McKeon
 McKinley McKinley
 McMorris McMorris
 Rodgers Rodgers
 Meehan Meehan
 Mica Mica
 Michaud Michaud
 Miller (FL) Miller (FL)
 Miller (MI) Miller (MI)
 Miller, Gary Miller, Gary
 Mulvaney Mulvaney
 Murphy (PA) Murphy (PA)
 Myrick Myrick
 Nunes Nunes
 Nunnelee Nunnelee
 Olson Olson
 Owens Owens
 Palazzo Palazzo
 Pascrell Pascrell
 Pastor (AZ) Pastor (AZ)
 Paulsen Paulsen
 Pearce Pearce
 Pence Pence
 Perlmutter Perlmutter
 Peterson Peterson
 Petri Petri
 Pitts Pitts
 Platts Platts
 Poe (TX) Poe (TX)
 Pompeo Pompeo
 Posey Posey
 Price (GA) Price (GA)
 Price (NC) Price (NC)
 Quigley Quigley
 Reed Reed
 Rehberg Rehberg
 Reichert Reichert
 Renacci Renacci
 Reyes Reyes
 Ribble Ribble
 Richardson Richardson
 Richmond Richmond
 Rigell Rigell
 Rivera Rivera
 Roby Roby
 Roe (TN) Roe (TN)
 Rogers (AL) Rogers (AL)
 Rogers (KY) Rogers (KY)
 Rogers (MI) Rogers (MI)
 Rokita Rokita
 Rooney Rooney
 Ros-Lehtinen Ros-Lehtinen
 Roskam Roskam
 Ross (AR) Ross (AR)
 Ross (FL) Ross (FL)
 Rothman (NJ) Rothman (NJ)
 Roybal-Allard Roybal-Allard
 Runyan Runyan
 Ruppersberger Ruppersberger
 Ryan (OH) Ryan (OH)
 Ryan (WI) Ryan (WI)
 Sarbanes Sarbanes
 Scalise Scalise
 Schiff Schiff
 Schilling Schilling
 Schmitt Schmitt
 Schow Schow
 Schrader Schrader
 Schwartz Schwartz
 Schwartz Schwartz
 Sherman Sherman
 Shimkus Shimkus
 Shuler Shuler
 Simpson Simpson
 Sires Sires
 Smith (NE) Smith (NE)
 Smith (NJ) Smith (NJ)
 Smith (TX) Smith (TX)
 Smith (WA) Smith (WA)
 Southerland Southerland
 Stearns Stearns
 Stivers Stivers
 Stutzman Stutzman
 Sullivan Sullivan
 Sutton Sutton
 Terry Terry
 Thompson (CA) Thompson (CA)
 Thompson (MS) Thompson (MS)
 Thompson (PA) Thompson (PA)
 Thornberry Thornberry
 Tipton Tipton
 Tonko Tonko
 Tsongas Tsongas
 Turner Turner
 Upton Upton
 Van Hollen Van Hollen
 Vislosky Vislosky
 Walberg Walberg
 Walden Walden
 Walsh (IL) Walsh (IL)
 Walz (MN) Walz (MN)
 Wasserman Wasserman
 Schultz Schultz
 Webster Webster

West Wolf Yoder
Westmoreland Womack Young (AK)
Whitfield Woodall Young (FL)
Wilson (SC) Wu Young (IN)
Wittman Yarmuth

NOT VOTING—13

Giffords McCollum Shuster
Harman Meeks Stark
Harper Paul Wilson (FL)
Hinojosa Peters
McCarthy (NY) Quayle

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 0138

So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT NO. 109 OFFERED BY MR. GRIFFITH OF VIRGINIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. GRIFFITH) 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 Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 185, not voting 13, as follows:

[Roll No. 129]

AYES—235

Adams Coffman (CO) Granger
Aderholt Cole Graves (GA)
Akin Conaway Graves (MO)
Alexander Cravaack Griffin (AR)
Altmire Crawford Griffith (VA)
Amash Crenshaw Grimm
Austria Critz Guinta
Bachmann Culberson Guthrie
Bachus Davis (KY) Hall
Barletta Denham Hanna
Bartlett Dent Harper
Barton (TX) DesJarlais Harris
Benishek Diaz-Balart Hartzler
Berg Dold Hastings (WA)
Biggert Donnelly (IN) Heck
Bilbray Dreier Heller
Bilirakis Duffy Hensarling
Bishop (UT) Duncan (SC) Herger
Black Duncan (TN) Herrera Beutler
Blackburn Ellmers Holden
Bonner Emerson Huelskamp
Bono Mack Farenthold Huizenga (MI)
Boren Fincher Hultgren
Boustany Flake Hunter
Brady (TX) Fleischmann Hurt
Brooks Fleming Issa
Broun (GA) Jenkins
Buchanan Forbes Johnson (OH)
Bucshon Fortenberry Johnson, Sam
Buerkle Foxx Jones
Burgess Franks (AZ) Jordan
Burton (IN) Frelinghuysen Kelly
Calvert Gallegly King (IA)
Camp Gardner King (NY)
Campbell Garrett Kingston
Canseco Gerlach Kinzinger (IL)
Cantor Gibbs Kline
Capito Gibson Labrador
Carter Gingrey (GA) Lamborn
Cassidy Gohmert Landry
Chabot Goodlatte Lankford
Chaffetz Gosar Latham
Coble Gowdy LaTourette

Latta Palazzo Schock
Lewis (CA) Paulsen Schweikert
Long Pearce Scott (SC)
Lucas Pence Scott, Austin
Luetkemeyer Petri Sensenbrenner
Lummis Pitts Sessions
Lungren, Daniel Platts Shimkus
E. Poe (TX) Simpson
Mack Pompeo Smith (NE)
Manzullo Posey Smith (TX)
Marchant Price (GA) Southerland
Marino Rahall
Matheson Reed Stearns
McCarthy (CA) Rehberg Stutzman
McCaul Renacci Sullivan
McClintock Ribble Terry
McCotter Rigell Thompson (PA)
McHenry Rivera Thornberry
McKeon Roby Tiberi
McKinley Roe (TN) Tipton
McMorris Rogers (AL) Turner
Rodgers Rogers (KY) Upton
Meehan Rogers (MI) Walberg
Mica Rohrabacher Walden
Miller (FL) Rokita Walsh (IL)
Miller (MI) Rooney West
Miller, Gary Ros-Lehtinen Westmoreland
Mulvaney Roskam Whitfield
Murphy (PA) Ross (AR) Wilson (SC)
Myrick Ross (FL) Wittman
Neugebauer Royce Womack
Noem Runyan Woodall
Nugent Ryan (WI) Yoder
Nunes Scalise Young (AK)
Nunnelee Schilling Young (FL)
Olson Schmidt Young (IN)

NOES—185

Ackerman Frank (MA) Neal
Andrews Fudge Oliver
Baca Garamendi Owens
Baldwin Gonzalez Pallone
Barrow Green, Al Pascrell
Bass (CA) Green, Gene Pastor (AZ)
Bass (NH) Grijalva Payne
Becerra Gutierrez Pelosi
Berkley Hanabusa Perlmutter
Berman Hastings (FL) Peterson
Bishop (GA) Hayworth Pingree (ME)
Bishop (NY) Heinrich Poliss
Blumenauer Higgins Price (NC)
Boswell Himes Quigley
Brady (PA) Hinchey Rangel
Braley (IA) Hirono Reichert
Brown (FL) Holt Reyes
Butterfield Honda Richardson
Capps Hoyer Richmond
Capuano Inslee Rothman (NJ)
Cardoza Isreal Roybal-Allard
Carnahan Jackson (IL) Ruppberger
Carney Jackson Lee Rush
Carson (IN) (TX) Ryan (OH)
Castor (FL) Johnson (GA) Sánchez, Linda
Chandler Johnson (IL) T.
Chu Johnson, E. B. Sanchez, Loretta
Cicilline Kaptur Sarbanes
Clarke (MI) Keating Schakowsky
Clarke (NY) Kildee Schiff
Clay Kind Schrader
Clever Kissell Schwartz
Clyburn Kucinich Scott (VA)
Cohen Lance Scott, David
Connolly (VA) Langevin Serrano
Conyers Larsen (WA) Sewell
Cooper Lee (CA) Sherman
Costa Levin Shuler
Costello Lewis (GA) Shuler
Courtney Lipinski Sires
Crowley LoBiondo Slaughter
Cuellar Loebsack Smith (NJ)
Cummings Lofgren, Zoe Smith (WA)
Davis (CA) Lowey Speier
Davis (IL) Lujan Sutton
DeFazio Lynch Thompson (CA)
DeGette Maloney Thompson (MS)
DeLauro Markey Tierney
Deutch Matsui Tonko
Dicks McDermott Towns
Dingell McGovern Tsongas
Doggett McIntyre Van Hollen
Doyle McNerney Velázquez
Edwards Michaud Vislosky
Ellison Miller (NC) Walz (MN)
Engel Miller, George Wasserman
Eshore Moore Schultz
Farr Moran Waters
Fattah Murphy (CT) Watt
Filner Nadler Waxman
Fitzpatrick Napolitano Webster

Weiner Wolf Wu
Welch Woolsey Yarmuth

NOT VOTING—13

Giffords McCollum Shuster
Harman Meeks Stark
Hinojosa Paul Wilson (FL)
Larson (CT) Peters
McCarthy (NY) Quayle

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 0141

So the amendment was agreed to.
The result of the vote was announced as above recorded.

Stated against:
Mr. LARSON of Connecticut. Mr. Chair, on rollcall No. 129 I was unfortunately detained. Had I been present, I would have voted “no.”

AMENDMENT NO. 548 OFFERED BY MR. JONES

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. JONES) 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 259, noes 159, not voting 15, as follows:

[Roll No. 130]

AYES—259

Adams Clay Garrett
Akin Coble Gerlach
Altmire Coffman (CO) Gibbs
Amash Cole Gibson
Andrews Conaway Gingrey (GA)
Austria Costa Gohmert
Bachmann Costello Goodlatte
Baldwin Courtney Gosar
Barletta Cravaack Gowdy
Bartlett Crawford Granger
Barton (TX) Crenshaw Graves (GA)
Benishek Critz Graves (MO)
Berg Davis (KY) Green, Al
Biggert DeFazio Green, Gene
Bilirakis Denham Griffin (AR)
Bishop (NY) Dent Griffith (VA)
Bishop (UT) DesJarlais Grimm
Black Diaz-Balart Guinta
Boren Doggett Guthrie
Brady (TX) Dold Gutierrez
Braley (IA) Donnelly (IN) Hall
Broun (GA) Doyle Hanna
Brown (FL) Dreier Harper
Buchanan Duffy Harris
Bucshon Duncan (SC) Hartzler
Buerkle Buerkle Heck
Burgess Ellmers Heller
Burton (IN) Emerson Hensarling
Butterfield Farenthold Herger
Calvert Fincher Herrera Beutler
Camp Fitzpatrick Holden
Campbell Flake Huelskamp
Canseco Fleischmann Huizenga (MI)
Cantor Fleming Hultgren
Capito Forbes Hunter
Capuano Fortenberry Hurt
Carnahan Foxx Israel
Carter Frank (MA) Issa
Cassidy Franks (AZ) Jenkins
Chabot Frelinghuysen Johnson (IL)
Chaffetz Gallegly Johnson (OH)
Chandler Gardner Johnson, Sam

Jones
Jordan
Keating
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Langevin
Lankford
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel
E.
Lynch
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McGovern
McHenry
McIntyre
McKeon
McKinley
Meehan
Mica
Miller (FL)
Miller (MI)

NOES—159

Ackerman
Aderholt
Alexander
Baca
Bachus
Barrow
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bilbray
Bishop (GA)
Blackburn
Blumenauer
Bonner
Bono Mack
Boswell
Boustany
Brady (PA)
Brooks
Capps
Cardoza
Carson (IN)
Cassidy
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeGette
Deutch
Dicks
Dingell
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner

Flores
Fudge
Garamendi
Gonzalez
Grijalva
Hanabusa
Hastings (FL)
Hastings (WA)
Hayworth
Heinrich
Higgin
Himes
Hirono
Hinchey
Hirono
Holt
Honda
Hoyer
Inlee
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Kildee
Kind
Kucinich
Lance
Landry
Larsen (WA)
Lee (CA)
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Mack
Maloney
Markey
Matsui
McDermott
McMorris
Rodgers
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)

Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Pompeo
Posey
Price (GA)
Reed
Renacci
Ribble
Turner
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Nadler
Napolitano
Nunnelee
Olver
Palazzo
Pastor (AZ)
Pelosi
Perlmutter
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Richmond
Roby
Rogers (AL)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Slaughter
Smith (WA)
Speier
Sutton
Thompson (CA)
Thompson (MS)
Tonko
Van Hollen
Velázquez
Walz (MN)
Wasserman
Schultz

Waters
Watt
Waxman
Conyers
Culberson
DeLauro
Giffords
Harman

Weiner
Welch
Wittman
Hinojosa
McCarthy (NY)
McCollum
Meeks
Paul

Woolsey
Wu
Yarmuth
Peters
Quayle
Shuster
Stark
Wilson (FL)

Loeb sack
Long
Lucas
Luetkemeyer
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce

Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schradler
Schweikert
Scott (SC)

Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—15

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 0144

So the amendment was agreed to.
The result of the vote was announced as above recorded.

AMENDMENT NO. 47 OFFERED BY MR. LUETKEMEYER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Missouri (Mr. LUETKEMEYER) 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 245, noes 176, not voting 12, as follows:

[Roll No. 131]
AYES—245

Adams
Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barietta
Bartlett
Barton (TX)
Benishak
Berkley
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buchson
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Gibson
Capito
Carmahan
Carter
Cassidy
Chabot
Chaffetz
Clay
Cleaver
Coble

Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fox
Franks (AZ)
Gallegly
Gardner
Garrett
Garlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al

Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Hergert
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo

Ackerman
Amash
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Bass (NH)
Becerra
Berg
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah

NOES—176

Filner
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gonzalez
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hirono
Holden
Holt
Honda
Hoyer
Inlee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larsen (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Luján
Lummis
Lynch
Maloney
Markey
Matsui
McDermott
McGovern
McNerney
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler

Napolitano
Neal
Noem
Oliver
Owens
Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Pingree (ME)
Price (NC)
Quigley
Rahall
Rangel
Rehberg
Reyes
Richardson
Richmond
Rothman (NJ)
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman

Weiner Woolsey Yarmuth
Welch Wu Young (FL)

NOT VOTING—12

Giffords McCollum Quayle
Harman Meeks Roybal-Allard
Hinojosa Paul Stark
McCarthy (NY) Peters Wilson (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 0147

So the amendment was agreed to.
The result of the vote was announced as above recorded.

AMENDMENT NO. 149 OFFERED BY MR. LUTTKEMEYER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Missouri (Mr. LUTTKEMEYER) 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 Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 244, noes 179, not voting 10, as follows:

[Roll No. 132]

AYES—244

Adams Costello Guthrie
Aderholt Cravaack Hall
Akin Crawford Hanna
Alexander Crenshaw Harper
Altmire Culberson Harris
Amash Davis (KY) Hartzler
Austria Denham Hastings (WA)
Bachmann Dent Hayworth
Bachus DesJarlais Heck
Bartletta Diaz-Balart Heller
Bartlett Dold Hensarling
Barton (TX) Dreier Herger
Benishkek Duffy Herrera Beutler
Berg Duncan (SC) Huelskamp
Biggert Duncan (TN) Hultgren
Bilirakis Ellmers Huizenga (MI)
Bishop (UT) Emerson Hunter
Black Farenthold Hurt
Blackburn Fincher Issa
Bonner Fitzpatrick Jenkins
Bono Mack Flake Johnson (IL)
Boren Fleischmann Johnson (OH)
Boustany Fleming Johnson, Sam
Brady (TX) Flores Jones
Brooks Forbes Jordan
Broun (GA) Fortenberry Kelly
Buchanan Foxx King (IA)
Bueshon Franks (AZ) King (NY)
Buerkle Frelinghuysen Kingston
Burgess Gallegly Kinzinger (IL)
Burton (IN) Gardner Kline
Calvert Garrett Labrador
Camp Gerlach Lamborn
Campbell Gibbs Lance
Canseco Gibson Landry
Cantor Gingrey (GA) Lankford
Capito Gohmert Latham
Carter Goodlatte LaTourrette
Cassidy Gosar Latta
Chabot Gowdy Lewis (CA)
Chaffetz Granger LoBiondo
Cleaver Graves (GA) Long
Clyburn Graves (MO) Lucas
Coble Griffin (AR) Luetkemeyer
Coffman (CO) Griffith (VA) Lummis
Cole Grimm Lungren, Daniel
Conaway Guinta E.

Mack Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts

NOES—179

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carmahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)

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

NOT VOTING—10

Giffords McCollum Stark
Harman Paul Wilson (FL)
Hinojosa Peters
McCarthy (NY) Quayle

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining on this vote.

□ 0150

So the amendment was agreed to.
The result of the vote was announced as above recorded.

AMENDMENT NO. 569 OFFERED BY MR. ISSA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ISSA) 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 191, noes 230, not voting 12, as follows:

[Roll No. 133]

AYES—191

Adams Fleischmann Long
Akin Fleming Lucas
Alexander Flores Luetkemeyer
Amash Fortenberry Lummis
Bachmann Foxx Lungren, Daniel
Bachus Franks (AZ) E.
Bass (NH) Frelinghuysen Mack
Benishkek Gallegly Manzullo
Berg Gardner Marchant
Biggert Garrett Marino
Bilbray Gibbs McCarthy (CA)
Bilirakis Gingrey (GA) McCaul
Black Gohmert McClintock
T. Goodlatte McHenry
Sanchez, Loretta Gosar McKeon
Sarbanes Bono Mack Gowdy McMorris
Schakowsky Boustany Herger
Schiff Brady (TX) Granger
Schrader Broun (GA) Graves (GA)
Schwartz Buchanan Graves (MO)
Scott (VA) Bueshon Griffin (AR)
Scott, David Buerkle Griffith (VA)
Serrano Burton (IN) Guinta Miller, Gary
Sewell Calvert Hall
Sherman Camp Hanna Mulvaney
Shuler Campbell Hartzler Myrick
Slaughter Canseco Hastings (WA) Neugebauer
Smith (WA) Cantor Hayworth Noem
Speier Carter Heller Nunes
Sutton Chabot Hensarling Nunnelee
Thompson (CA) Chaffetz Herger Olson
Thompson (MS) Coble Huelskamp Palazzo
Tierney Coffman (CO) Huizenga (MI) Paulsen
Tonko Cole Hultgren Pearce
Towns Hunter Pence
Tsongas Hurst Petri
Van Hollen Issa Pitts
Velázquez Culberson Jenkins Poe (TX)
Visclosky Denham Johnson (IL) Pompeo
Walz (MN) Dent Johnson (OH) Posey
Wasserman Jordan Johnson, Sam Price (GA)
Schultz Dreier Kelly Reed
Waters Duffy King (IA) Rehberg
Watt Duncan (SC) Kingston Ribble
Waxman Duncanson (TN) Klaine Rivera
Weiner Ellmers Lamborn Roby
Welch Farenthold Landry Rogers (MI)
Woolsey Fincher Lankford Rohrabacher
Wu Fitzpatrick Latta Rokita
Yarmuth Yarmuth Flake Lewis (CA) Rooney

Roskam Smith (NE)
 Ross (FL) Smith (TX)
 Royce Smith (WA)
 Runyan Southerland
 Ryan (WI) Stearns
 Scalise Stivers
 Schmidt Stutzman
 Schock Sullivan
 Schweikert Terry
 Scott (SC) Thornberry
 Scott, Austin Tiberi
 Sensenbrenner Tipton
 Sessions Turner
 Shimkus Upton

Walberg Paul Platts Stark LaTourette
 Walden Peters Quayle Wilson (FL) Levin
 Walsh (IL) Owens Lewis (CA)
 West Westmoreland The Acting CHAIR (during the vote).
 Whitfield There is 1 minute remaining on this
 Wilson (SC) vote.
 Womack
 Woodall
 Yoder

Olver
 Owens
 Palazzo
 Pascrell
 Paulsen
 Pearce
 Pence
 Petri
 Pingree (ME)
 Pitts
 Lungren, Daniel
 E.
 Poe (TX)
 Pompeo
 Posey
 Price (GA)
 Quigley
 Rahall
 Reed
 Reichert
 Renacci
 Reyes
 Ribble
 Richardson
 Rigell
 Tipton
 Rivera
 Roe (TN)
 Rogers (AL)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross (AR)
 Ross (FL)
 Rothman (NJ)
 Royce
 Runyan
 Ruppertsberger
 Ryan (OH)
 Ryan (WI)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Scalise
 Schiff
 Schmidt

□ 0153
 So the amendment was rejected.
 The result of the vote was announced
 as above recorded.

Stated against:
 Mr. PLATTS. Mr. Chair, on rollcall No. 133,
 I was unavoidably detained. Had I been
 present, I would have voted “no.”

AMENDMENT NO. 94 OFFERED BY MR. SULLIVAN
 The Acting CHAIR. The unfinished
 business is the demand for a recorded
 vote on the amendment offered by the
 gentleman from Oklahoma (Mr. SUL-
 LIVAN) 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 amend-
 ment.

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 de-
 vice, and there were—ayes 285, noes 136,
 not voting 12, as follows:

[Roll No. 134]

AYES—285

NOES—230

Ackerman Frank (MA)
 Aderholt Fudge
 Altmire Owens
 Andrews Gerlach
 Austria Gibson
 Baca Gonzalez
 Baldwin Green, Al
 Barletta Green, Gene
 Barrow Grijalva
 Bartlett Grimm
 Barton (TX) Guthrie
 Bass (CA) Gutierrez
 Becerra Hanabusa
 Berkley Harper
 Berman Harris
 Bishop (GA) Hastings (FL)
 Bishop (NY) Heck
 Bishop (UT) Heinrich
 Blumenauer Higgins
 Bonner Himes
 Boren Hinchey
 Boswell Hirono
 Brady (PA) Holden
 Braley (IA) Holt
 Brooks Honda
 Brown (FL) Hoyer
 Burgess Inslee
 Butterfield Israel
 Capito Jackson (IL)
 Capps Jackson Lee
 Capuano (TX)
 Cardoza Johnson (GA)
 Carnahan Johnson, E. B.
 Carney Jones
 Carson (IN) Kaptur
 Castor (FL) Keating
 Chandler Kildee
 Chu Kind
 Cicilline King (NY)
 Clarke (MI) Kinzinger (IL)
 Clarke (NY) Kissell
 Clay Kucinich
 Cleaver Lance
 Clyburn Langevin
 Cohen Larsen (WA)
 Connolly (VA) Larson (CT)
 Conyers Latham
 Cooper LaTourette
 Costa Lee (CA)
 Costello Levin
 Courtney Lewis (GA)
 Crenshaw Lipinski
 Critz LoBiondo
 Crowley Loebsock
 Cuellar Lofgren, Zoe
 Cummings Lowey
 Davis (CA) Luján
 Davis (IL) Lynch
 Davis (KY) Maloney
 DeFazio Markey
 DeGette Matheson
 DeLauro Matsui
 Deutch McCotter
 Diaz-Balart McDermott
 Dicks McGovern
 Dingell McIntyre
 Doggett McKinley
 Donnelly (IN) McNerney
 Doyle Meeks
 Edwards Michaud
 Ellison Miller (NC)
 Emerson Miller, George
 Engel Moore
 Eshoo Moran
 Farr Murphy (CT)
 Fattah Murphy (PA)
 Filner Nadler
 Forbes Napolitano

Ackerman Coble
 Adams Coffman (CO)
 Aderholt Cohen
 Akin Cole
 Alexander Conaway
 Altmire Connolly (VA)
 Baca Conyers
 Bachmann Cooper
 Bachus Costa
 Barletta Courtney
 Bartlett Cravaack
 Barton (TX) Crawford
 Bass (NH) Cuellar
 Becerra Culberson
 Benishek Davis (KY)
 Berkeley DeFazio
 Berman Denham
 Biggert Dent
 Bilbray DesJarlais
 Bilirakis Diaz-Balart
 Bishop (UT) Dingell
 Black Doggett
 Blackburn Dold
 Bonner Doyle
 Bono Mack Dreier
 Boren Duffy
 Boustany Duncan (SC)
 Brady (TX) Duncan (TN)
 Brooks Ellmers
 Broun (GA) Engel
 Buchanan Farenthold
 Buchson Fincher
 Buckle Fitzpatrick
 Burgess Flake
 Burton (IN) Fleischmann
 Calvert Fleming
 Campbell Flores
 Canseco Forbes
 Cantor Poxo
 Capito Frank (MA)
 Capuano Franks (AZ)
 Cardoza Frelinghuysen
 Carter Gallegly
 Cassidy Garrett
 Chabot Gibbs
 Chaffetz Gibson
 Chandler Gingrey (GA)
 Clarke (MI) Gohmert
 Clyburn Goodlatte

Amash
 Andrews
 Austria
 Baldwin
 Barrow
 Bass (CA)
 Berg
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Boswell
 Brady (PA)
 Braley (IA)
 Brown (FL)
 Butterfield
 Camp
 Capps
 Carnahan
 Carney
 Carson (IN)
 Castor (FL)
 Chu
 Cicilline
 Clarke (NY)
 Clay
 Cleaver
 Costello
 Crenshaw
 Critz
 Crowley
 Cummings
 Davis (CA)
 Davis (IL)
 Davis (KY)
 DeFazio
 DeGette
 DeLauro
 Deutch
 Dicks
 Dingell
 Doggett
 Donnelly (IN)
 Doyle
 Edwards
 Ellison
 Emerson
 Engel
 Eshoo
 Farr
 Fattah
 Filner
 Fortenberry

NOES—136

Fudge
 Garamendi
 Gardner
 Gerlach
 Gonzalez
 Graves (MO)
 Green, Al
 Gutierrez
 Hanabusa
 Hartzler
 Hastings (FL)
 Hastings (WA)
 Hinchey
 Hirono
 Holden
 Holt
 Honda
 Hoyer
 Huelskamp
 Israel
 Jackson (IL)
 Johnson (GA)
 Johnson (IL)
 Johnson, E. B.
 Jones
 Kaptur
 Kildee
 Kind
 King (IA)
 Kinzinger (IL)
 Kucinich
 Langevin
 Latham
 Lee (CA)
 Lipinski
 Loebsock
 Lofgren, Zoe
 Luetkemeyer
 Maloney
 Manzullo
 Markey
 Matsui
 McNerney
 Meeks
 Miller, George
 Moore
 Napolitano
 Noem
 Pallone
 Pastor (AZ)
 Payne
 Pelosi
 Perlmutter
 Peterson
 Polis
 Price (NC)
 Rehberg
 Richmond
 Roby
 Rogers (KY)
 Roybal-Allard
 Rush
 Schakowsky
 Schilling
 Schock
 Schrader
 Schwartz
 Scott (VA)
 Scott, David
 Serrano
 Sewell
 Shimkus
 Sires
 Smith (NE)
 Stivers
 Sutton
 Terry
 Thompson (CA)
 Towns
 Tsongas
 Velázquez
 Vislosky
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Weiner
 Whitfield
 Wu

NOT VOTING—12

Giffords Hinojosa
 Harman Labrador
 McCarthy (NY)
 McCollum

NOT VOTING—12

Giffords
Harman
Hinojosa
Latta

McCarthy (NY)
McCollum
Paul
Peters

Quayle
Rangel
Stark
Wilson (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining on this vote.

□ 0156

So the amendment was agreed to.
The result of the vote was announced as above recorded.

AMENDMENT NO. 216 OFFERED BY MR. MCKINLEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY) 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 240, noes 182, not voting 11, as follows:

[Roll No. 135]

AYES—240

Adams	Critz	Heck
Aderholt	Culberson	Heller
Akin	Davis (KY)	Hensarling
Alexander	Denham	Herger
Altmire	Dent	Herrera Beutler
Austria	DesJarlais	Holden
Bachmann	Diaz-Balart	Huelskamp
Bachus	Dold	Huizenga (MI)
Barletta	Donnelly (IN)	Hultgren
Bartlett	Dreier	Hunter
Barton (TX)	Duffy	Hurt
Benishek	Duncan (SC)	Issa
Berg	Duncan (TN)	Jenkins
Biggert	Ellmers	Johnson (OH)
Bilbray	Emerson	Johnson, Sam
Bilirakis	Farenthold	Jones
Bishop (UT)	Fincher	Jordan
Black	Flake	Kelly
Blackburn	Fleischmann	King (IA)
Bonner	Fleming	King (NY)
Bono Mack	Flores	Kingston
Boren	Fortenberry	Kinzinger (IL)
Boustany	Fox	Kissell
Brady (TX)	Franks (AZ)	Kline
Brooks	Frelinghuysen	Labrador
Broun (GA)	Galleghy	Lamborn
Buchanan	Gardner	Lance
Bucshon	Garrett	Landry
Buerkle	Gibbs	Lankford
Burgess	Gibson	Latham
Burton (IN)	Gingrey (GA)	Latta
Calvert	Gohmert	Lewis (CA)
Camp	Goodlatte	Long
Campbell	Gosar	Lucas
Canseco	Gowdy	Luetkemeyer
Cantor	Granger	Lummis
Capito	Graves (GA)	Lungren, Daniel
Cardoza	Graves (MO)	E.
Carson (IN)	Griffin (AR)	Mack
Carter	Griffith (VA)	Manzullo
Cassidy	Grimm	Marchant
Chabot	Guinta	Marino
Chaffetz	Guthrie	Matheson
Coble	Gutierrez	McCarthy (CA)
Coffman (CO)	Hall	McCaul
Cole	Hanna	McClintock
Conaway	Harper	McCotter
Costa	Harris	McHenry
Costello	Hartzler	McIntyre
Crawford	Hastings (WA)	McKeon
Crenshaw	Hayworth	McKinley

McMorris
Rogers

Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Palazzo
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
Reed

NOES—182

Ackerman
Amash
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Cravaack
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
DeLautro
Dicks
Dingell
Dingelt
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Forbes
Frank (MA)
Fudge

Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus

Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reichert
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McDermott
McGovern
McNerney
Meeks
Micheud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Owens
Pallone
Pascrell

NOT VOTING—11

Giffords
Harman
Hinojosa
McCarthy (NY)

McCollum
Paul
Peters
Quayle

Stark
Sullivan
Wilson (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining on this vote.

□ 0200

Mr. CARSON of Indiana changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 217 OFFERED BY MR. MCKINLEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY) 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 239, noes 183, not voting 11, as follows:

[Roll No. 136]

AYES—239

Adams	Conaway	Guthrie
Aderholt	Costa	Hall
Akin	Costello	Hanna
Alexander	Cravaack	Harper
Amash	Crawford	Harris
Austria	Crenshaw	Hartzler
Bachmann	Critz	Hastings (WA)
Bachus	Cuellar	Heck
Barletta	Culberson	Heller
Barrow	Davis (KY)	Hensarling
Bartlett	Denham	Herger
Barton (TX)	Dent	Herrera Beutler
Benishek	DesJarlais	Holden
Berg	Diaz-Balart	Huelskamp
Biggert	Dold	Huizenga (MI)
Bilbray	Donnelly (IN)	Hultgren
Bilirakis	Dreier	Hunter
Bishop (UT)	Duffy	Hurt
Black	Duncan (SC)	Issa
Blackburn	Duncan (TN)	Jenkins
Bonner	Ellmers	Johnson (OH)
Bono Mack	Emerson	Johnson, Sam
Boren	Farenthold	Jones
Boswell	Fincher	Jordan
Boustany	Flake	Kelly
Brady (TX)	Fleming	Kind
Brooks	Flores	King (IA)
Broun (GA)	Fox	King (NY)
Buchanan	Franks (AZ)	Kingston
Bucshon	Frelinghuysen	Kinzinger (IL)
Buerkle	Galleghy	Kline
Burgess	Gardner	Labrador
Burton (IN)	Garrett	Lamborn
Calvert	Gerlach	Landry
Camp	Gibbs	Lankford
Campbell	Gibson	Latham
Canseco	Gingrey (GA)	Latta
Cantor	Gohmert	Lewis (CA)
Capito	Goodlatte	Long
Cardoza	Gosar	Lucas
Carson (IN)	Gowdy	Luetkemeyer
Carter	Granger	Lummis
Chabot	Graves (GA)	Lungren, Daniel
Chaffetz	Graves (MO)	E.
Coble	Griffin (AR)	Mack
Coffman (CO)	Griffith (VA)	Manzullo
Cole	Guinta	Marchant
		Marino

Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)

Pompeo
Posey
Price (GA)
Rahall
Reed
Rehberg
Renacci
Ribble
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions

NOES—183

Ackerman
Altmire
Andrews
Baca
Baldwin
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Cassidy
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Frank (MA)
Fudge
Garamendi
Gonzalez

Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinchev
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kissell
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone

Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reichert
Reyes
Richardson
Richmond
Rigell
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Slaughter
Smith (NJ)
Smith (WA)
Speier
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Camp
Campbell
Canseco
Cantora
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson

Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Giffords
Harman
Hinojosa
McCarthy (NY)

McCollum
Paul
Peters
Quayle

Sires
Stark
Wilson (FL)

NOT VOTING—11

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 0203

So the amendment was agreed to.
The result of the vote was announced as above recorded.

AMENDMENT NO. 545 OFFERED BY MR. POMPEO
The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Kansas (Mr. POMPEO) 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 234, noes 187, not voting 12, as follows:

[Roll No. 137]
AYES—234

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

Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Foxo
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp

Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Meehan
Mica
Miller (FL)
Miller (MI)

Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Price (GA)
Reed
Rehberg
Reichert
Renacci
Ribble
Rivera
Roby

Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)

Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Sessions
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—187

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Forbes
Fortenberry
Frank (MA)

Fudge
Garamendi
Gerlach
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Harris
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone

Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Pingree (ME)
Polis
Posey
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Hinchev
Richmond
Rigell
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Slaughter
Smith (WA)
Speier
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velazquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Weiner
Welch
Wittman
Wolf
Woolsey
Wu
Yarmuth

NOT VOTING—12

Costa
Giffords

Harman
Hinojosa

King (IA)
McCarthy (NY)

McCollum Peters Stark
Paul Quayle Wilson (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 0206

So the amendment was agreed to.
The result of the vote was announced as above recorded.

AMENDMENT NO. 200 OFFERED BY MR. BURGESS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. BURGESS) 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 Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 239, noes 182, not voting 12, as follows:

[Roll No. 138]

AYES—239

Adams DesJarlais Hunter
Aderholt Diaz-Balart Hurt
Akin Dold Issa
Alexander Dreier Jenkins
Amash Duffy Johnson (IL)
Austria Duncan (SC) Johnson (OH)
Bachmann Duncan (TN) Johnson, Sam
Bachus Ellmers Jones
Barletta Emerson Jordan
Bartlett Farenthold Kelly
Barton (TX) Fincher King (NY)
Bass (NH) Fitzpatrick Kingston
Benishek Flake Kinzinger (IL)
Berg Fleischmann Kline
Biggert Fleming Labrador
Billray Flores Lamborn
Bilirakis Forbes Lance
Bishop (UT) Fortenberry Landry
Black Foxx Lankford
Blackburn Franks (AZ) Latham
Bonner Frelinghuysen LaTourette
Bono Mack Gallegly Latta
Boren Gardner Lewis (CA)
Boustany Garrett LoBiondo
Brady (TX) Gerlach Long
Brooks Gibbs Lucas
Broun (GA) Gingrey (GA) Luetkemeyer
Buchanan Gohmert Lummis
Buchson Goodlatte Lungren, Daniel
Buerkle Gosar E.
Burgess Gowdy Mack
Burton (IN) Granger Manzullo
Calvert Graves (GA) Marino
Camp Graves (MO) McCarthy (CA)
Campbell Griffin (AR) McCaul
Canseco Griffith (VA) McClintock
Cantor Grimm McCotter
Capito Guinta McHenry
Carter Guthrie McIntyre
Cassidy Hall McKeon
Chabot Hanna McKinley
Chaffetz Harper McMorris
Coble Harris Rodgers
Coffman (CO) Hartzler Meehan
Cole Hastings (WA) Mica
Conaway Hayworth Miller (FL)
Costa Heck Miller (MI)
Cravaack Heller Miller, Gary
Crawford Hensarling Mulvaney
Crenshaw Herger Murphy (PA)
Culberson Herrera Beutler Myrick
Davis (KY) Huelskamp Neugebauer
Denham Huizenga (MI) Noem
Dent Hultgren Nugent

Nunes Rokita Stutzman
Nunnelee Rooney Sullivan
Olson Ros-Lehtinen Terry
Palazzo Roskam Thompson (PA)
Paulsen Paulsen Ross (AR)
Pearce Ross (FL)
Pence Royce
Petri Runyan
Pitts Ryan (WI)
Platts Scalise
Poe (TX) Schilling
Pompeo Schmidt
Posey Schock
Price (GA) Schweikert
Reed Scott (SC)
Rehberg Scott, Austin
Reichert Sensenbrenner
Renacci Sessions
Ribble Shimkus
Rigell Shuster
Rivera Simpson
Roby Smith (NE)
Roe (TN) Smith (NJ)
Rogers (AL) Smith (TX)
Rogers (KY) Southerland
Rogers (MI) Stearns
Rohrabacher Stivers

ACKERMAN

Altmiere Fudge
Andrews Garamendi
Baca Gibson
Baldwin Gonzalez
Barrow Green, Al
Bass (CA) Green, Gene
Becerra Grijalva
Berkley Gutierrez
Berman Hanabusa
Bishop (GA) Hastings (FL)
Bishop (NY) Heinrich
Blumenauer Higgins
Boswell Himes
Brady (PA) Hinchey
Braley (IA) Holt
Brown (FL) Holt
Butterfield Honda
Capps Hoyer
Capuano Inslee
Cardoza Israel
Carnahan Jackson (IL)
Carney Jackson Lee
Carson (IN) (TX)
Castor (FL) Johnson (GA)
Chandler Johnson, E. B.
Chu Kaptur
Cicilline Keating
Clarke (MI) Kildee
Clarke (NY) Kind
Clay Kissell
Cleaver Kucinich
Clyburn Langevin
Cohen Larsen (WA)
Connolly (VA) Larson (CT)
Conyers Lee (CA)
Cooper Levin
Costello Lewis (GA)
Courtney Lipinski
Critz Loebsock
Crowley Lofgren, Zoe
Cuellar Lowey
Cummings Lujan
Davis (CA) Lynch
Davis (IL) Maloney
DeFazio Markey
DeGette Matheson
DeLauro Matsui
Deutch McDermott
Dicks McGovern
Dingell McNeerney
Doggett Meeks
Donnelly (IN) Michaud
Doyle Miller (NC)
Edwards Miller, George
Ellison Moore
Engel Moran
Eshoo Murphy (CT)
Farr Nadler
Fattah Napolitano
Filner Neal
Frank (MA) Oliver

Giffords
Harman
Hinojosa
King (IA)

NOES—182

Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsock
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McDermott
McGovern
McNeerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver

NOT VOTING—12

Marchant
McCarthy (NY)
McCollum
Paul

Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Weiner
Welch
Woolsey
Wu
Yarmuth

Peters
Quayle
Stark
Wilson (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 0209

So the amendment was agreed to.
The result of the vote was announced as above recorded.

AMENDMENT NO. 482 OFFERED BY MR. HELLER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Nevada (Mr. HELLER) 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 Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 209, noes 213, not voting 11, as follows:

[Roll No. 139]

AYES—209

Adams	Farenthold	Lungren, Daniel
Aderholt	Fincher	E.
Akin	Flake	Mack
Alexander	Fleischmann	Manzullo
Amash	Fleming	Marchant
Austria	Forbes	Marino
Bachus	Foxx	Matheson
Bartlett	Franks (AZ)	McCarthy (CA)
Barton (TX)	Gallegly	McCaul
Bass (NH)	Gardner	McClintock
Benishek	Garrett	McCotter
Berg	Gibbs	McHenry
Biggert	Gingrey (GA)	McKeon
Billray	Gohmert	McKinley
Bilirakis	Gosar	McMorris
Bishop (UT)	Gowdy	Rodgers
Black	Granger	Meehan
Blackburn	Graves (GA)	Mica
Bonner	Graves (MO)	Miller (FL)
Bono Mack	Griffin (AR)	Miller (MI)
Boren	Hall	Miller, Gary
Boustany	Harper	Mulvaney
Brady (TX)	Harris	Murphy (PA)
Brooks	Hartzler	Myrick
Broun (GA)	Hastings (WA)	Neugebauer
Buchanan	Heck	Nugent
Buchson	Heller	Nunes
Buerkle	Hensarling	Nunnelee
Burgess	Herger	Olson
Burton (IN)	Herrera Beutler	Palazzo
Calvert	Huelskamp	Pearce
Camp	Huizenga (MI)	Pence
Campbell	Hunter	Petri
Canseco	Issa	Pitts
Cantor	Jenkins	Platts
Capito	Johnson (OH)	Poe (TX)
Carter	Johnson, Sam	Pompeo
Cassidy	Jordan	Posey
Chabot	Kelly	Price (GA)
Chaffetz	King (IA)	Reed
Coble	King (NY)	Rehberg
Coffman (CO)	Kingston	Renacci
Cole	Kinzinger (IL)	Ribble
Conaway	Kline	Rigell
Cravaack	Kucinich	Rivera
Crawford	Labrador	Roby
Crenshaw	Lamborn	Roe (TN)
Culberson	Landry	Rogers (AL)
Davis (KY)	Lankford	Rogers (KY)
Denham	Latham	Rogers (MI)
Dent	LaTourette	Rohrabacher
	Latta	Rokita
	Lewis (CA)	Rooney
	Long	Ros-Lehtinen
	Lucas	Roskam
	Luetkemeyer	Ross (AR)
	Lummis	Ross (FL)

Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster

Simpson
Smith (NE)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Turner
Upton

NOES—213

Ackerman
Altmire
Andrews
Baca
Bachmann
Baldwin
Barletta
Barrow
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Bralley (IA)
Brown (FL)
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Flores
Fortenberry
Frank (MA)
Frelinghuysen

NOT VOTING—11

Giffords
Harman
Hinojosa
McCarthy (NY)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

Walberg
Walden
Walsh (IL)
Westmoreland
Whitfield
Wilson (SC)
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Napolitano
Neal
Noem
Oliver
Owens
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishke
Berg
Biggart
Bibray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brady (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold

□ 0212
So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT NO. 563 OFFERED BY MRS. NOEM
The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Dakota (Mrs. NOEM) 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 Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 255, noes 168, not voting 10, as follows:

[Roll No. 140]

AYES—255

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishke
Berg
Biggart
Bibray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brady (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold

King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Loeback
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCauley
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Poe (TX)
Pompeo
Posey

Price (GA)
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise

Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (CA)
Thompson (PA)

NOES—168

Ackerman
Altmire
Andrews
Baca
Baldwin
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi

NOT VOTING—10

Giffords
Harman
Hinojosa
McCarthy (NY)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 0215

So the amendment was agreed to.
The result of the vote was announced as above recorded.

Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Sutton
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Vislosky
Wasserman
Schultz
Waters
Watt
Waxman
Weiner
Welch
Woolsey
Wu
Yarmuth

AMENDMENT NO. 430 OFFERED BY MR. PITTS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. PITTS) 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 Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 239, noes 183, not voting 11, as follows:

[Roll No. 141]

AYES—239

Adams	Flores	Mack
Aderholt	Forbes	Manzullo
Akin	Fortenberry	Marino
Alexander	Foxx	McCarthy (CA)
Altmire	Franks (AZ)	McCaul
Amash	Frelinghuysen	McClintock
Austria	Gallely	McCotter
Bachmann	Gardner	McHenry
Bachus	Garrett	McIntyre
Barletta	Gerlach	McKeon
Bartlett	Gibbs	McKinley
Barton (TX)	Gingrey (GA)	McMorris
Bass (NH)	Gohmert	Rodgers
Benishek	Goodlatte	Meehan
Berg	Gosar	Mica
Biggart	Gowdy	Miller (FL)
Billray	Granger	Miller (MI)
Bilirakis	Graves (GA)	Miller, Gary
Bishop (UT)	Graves (MO)	Mulvaney
Black	Griffin (AR)	Murphy (PA)
Blackburn	Griffith (VA)	Myrick
Bonner	Grimm	Neugebauer
Bono Mack	Guinta	Noem
Boren	Guthrie	Nugent
Boustany	Hall	Nunes
Brady (TX)	Hanna	Nunnelee
Brooks	Harper	Olson
Broun (GA)	Harris	Palazzo
Buchanan	Hartzler	Paulsen
Buchson	Hastings (WA)	Pearce
Buerkle	Hayworth	Pence
Burgess	Heck	Petri
Burton (IN)	Heller	Pitts
Calvert	Hensarling	Platts
Camp	Herger	Poe (TX)
Campbell	Herrera Beutler	Pompeo
Canseco	Huelskamp	Posey
Cantor	Huizenga (MI)	Price (GA)
Capito	Hultgren	Reed
Carter	Hunter	Rehberg
Cassidy	Hurt	Reichert
Chabot	Issa	Renacci
Chaffetz	Jenkins	Ribble
Coble	Johnson (IL)	Rigell
Coffman (CO)	Johnson (OH)	Rivera
Cole	Johnson, Sam	Roby
Conaway	Jones	Roe (TN)
Cravaack	Jordan	Rogers (AL)
Crawford	Kelly	Rogers (KY)
Crenshaw	King (IA)	Rogers (MI)
Culberson	King (NY)	Rohrabacher
Davis (KY)	Kingston	Rokita
Denham	Kinzinger (IL)	Rooney
Dent	Kline	Ros-Lehtinen
DesJarlais	Labrador	Roskam
Diaz-Balart	Lamborn	Ross (AR)
Dold	Lance	Ross (FL)
Dreier	Landry	Royce
Duffy	Lankford	Runyan
Duncan (SC)	Latham	Ryan (WI)
Duncan (TN)	Latta	Scalise
Ellmers	Lewis (CA)	Schilling
Emerson	LoBiondo	Schmidt
Farenthold	Long	Schock
Fincher	Lucas	Schweikert
Fitzpatrick	Luetkemeyer	Scott (SC)
Flake	Lummis	Scott, Austin
Fleischmann	Lungren, Daniel	Sensenbrenner
Fleming	E.	Sessions

Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry

Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland

Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

gentleman from Delaware (Mr. CARNEY) 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 121, noes 300, not voting 12, as follows:

[Roll No. 142]

AYES—121

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)

NOES—183

Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
Castor (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Loftgren, Zoe
Lowey
Lujan
Lynch
Lynch
Maloney
Markey
Matheson
Matsui
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal

Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Townes
Tsongas
Van Hollen
Velazquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Weiner
Welch
Woolsey
Wu
Yarmuth

Ackerman
Amash
Andrews
Baldwin
Bartlett
Bass (CA)
Becerra
Berkley
Berman
Blumenauer
Boswell
Brady (PA)
Brady (TX)
Brady (IA)
Campbell
Capps
Capuano
Cardoza
Carnahan
Carney
Castor (FL)
Chu
Cicilline
Clarke (NY)
Clay
Cohen
Conyers
Crowley
Davis (CA)
DeFazio
DeLauro
Deutch
Dicks
Doggett
Dold
Edwards
Ellison
Farr
Filner
Fitzpatrick
Frank (MA)

Fudge
Garamendi
Garrett
Gerlach
Goodlatte
Griffith (VA)
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heller
Hensarling
Herger
Higgins
Hirono
Honda
Hurt
Jackson (IL)
Johnson (GA)
Johnson, E. B.
Keating
Kind
Kucinich
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
LoBiondo
Loeb sack
Lynch
Maloney
Markey
Matsui
McClintock
McDermott
McGovern
McNerney
Meeks
Michaud
Moran

Nadler
Napolitano
Neal
Olver
Payne
Pelosi
Peterson
Pingree (ME)
Polis
Quigley
Rangel
Roybal-Allard
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schweikert
Scott, David
Sherman
Shuler
Sires
Slaughter
Speier
Sutton
Tierney
Tonko
Townes
Tsongas
Van Hollen
Velazquez
Wasserman
Schultz
Waters
Waxman
Weiner
Welch
Woolsey
Yarmuth
Young (IN)

NOES—300

Adams
Aderholt
Akin
Alexander
Altmire
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Barton (TX)
Bass (NH)
Benishek
Berg
Biggart
Billray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brooks
Broun (GA)
Brown (FL)
Buchanan

Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Chandler
Clarke (MI)
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw

Critz
Cuellar
Culberson
Cummings
Davis (IL)
Davis (KY)
DeGette
Denham
Dent
DesJarlais
Diaz-Balart
Dingell
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Eshoo
Farenthold
Fattah
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry

NOT VOTING—11

Giffords
Harman
Hinojosa
Marchant

McCarthy (NY)
McCollum
Paul
Peters

Quayle
Stark
Wilson (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 0218

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 241 OFFERED BY MR. CARNEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the

Foxx	Lofgren, Zoe	Rogers (KY)
Franks (AZ)	Long	Rogers (MI)
Frelinghuysen	Lowe	Rohrabacher
Gallely	Lucas	Rokita
Gardner	Luetkemeyer	Rooney
Gibbs	Lujan	Ros-Lehtinen
Gibson	Lummis	Roskam
Gingrey (GA)	Lungren, Daniel	Ross (AR)
Gohmert	E.	Ross (FL)
Gonzalez	Mack	Rothman (NJ)
Gosar	Manzullo	Royce
Gowdy	Marchant	Runyan
Granger	Marino	Ruppersberger
Graves (GA)	Matheson	Rush
Graves (MO)	McCarthy (CA)	Ryan (OH)
Green, Al	McCaul	Ryan (WI)
Green, Gene	McCotter	Sánchez, Linda
Griffin (AR)	McHenry	T.
Grimm	McIntyre	Scalise
Guinta	McKeon	Schilling
Guthrie	McKinley	Schmidt
Hall	McMorris	Schock
Hanna	Rodgers	Schwartz
Harper	Meehan	Scott (SC)
Harris	Mica	Scott (VA)
Hartzler	Miller (FL)	Scott, Austin
Hastings (WA)	Miller (MI)	Sensenbrenner
Hayworth	Miller (NC)	Serrano
Heck	Miller, Gary	Sessions
Heinrich	Miller, George	Sewell
Herrera Beutler	Moore	Shimkus
Himes	Mulvaney	Shuster
Hinche	Murphy (CT)	Simpson
Holden	Murphy (PA)	Smith (NE)
Holt	Neugebauer	Smith (NJ)
Hoyer	Noem	Smith (TX)
Huelskamp	Nugent	Smith (WA)
Huizenga (MI)	Nunes	Southerland
Hultgren	Nunnelee	Stearns
Hunter	Olson	Stivers
Inlee	Owens	Stutzman
Israel	Palazzo	Sullivan
Issa	Pallone	Terry
Jackson Lee	Pascrell	Thompson (CA)
(TX)	Pastor (AZ)	Thompson (MS)
Jenkins	Paulsen	Thompson (PA)
Johnson (IL)	Pearce	Thornberry
Johnson (OH)	Pence	Tiberi
Johnson, Sam	Perlmutter	Tipton
Jones	Petri	Turner
Jordan	Pitts	Upton
Kaptur	Platts	Visclosky
Kelly	Poe (TX)	Walberg
Kildee	Pompeo	Walden
King (IA)	Posey	Walsh (IL)
King (NY)	Price (GA)	Walz (MN)
Kingston	Price (NC)	Walt
Kinzinger (IL)	Rahall	Webster
Kissell	Reed	West
Kline	Rehberg	Westmoreland
Labrador	Reichert	Whitfield
Lamborn	Renacci	Wilson (SC)
Lance	Reyes	Wittman
Landry	Ribble	Wolf
Lankford	Richardson	Womack
Larsen (WA)	Richmond	Woodall
Latham	Rigoll	Rivera
LaTourette	Rivera	Roby
Latta	Roby	Roe (TN)
Lewis (CA)	Roe (TN)	Rogers (AL)
Lipinski	Rogers (AL)	

NOT VOTING—12

Giffords	McCormack	Quayle
Harman	Myrick	Stark
Hinojosa	Paul	Wilson (FL)
McCarthy (NY)	Peters	Young (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 0221

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

LEGISLATIVE PROGRAM

Mr. CANTOR. Mr. Chairman, I would say to the Members we have got one more amendment in this series of votes, after which we are looking at a debate time of about 1 hour. So I would

advise the Members that it would probably be best to stay close to the Chamber, because we would expect the final series of votes on this bill and for the day to be within 1 hour.

AMENDMENT NO. 164 OFFERED BY MR. MULVANEY

The Acting CHAIR. Without objection, 2-minute voting will resume.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) 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 Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 93, noes 328, not voting 12, as follows:

[Roll No. 143]

AYES—93

Akin	Graves (MO)	Pence
Amash	Griffin (AR)	Poe (TX)
Bachmann	Griffith (VA)	Pompeo
Bartlett	Harris	Price (GA)
Bilirakis	Heller	Reed
Bishop (UT)	Hensarling	Ribble
Bono Mack	Herger	Rigell
Brady (TX)	Huelskamp	Rogers (MI)
Broun (GA)	Huizenga (MI)	Rohrabacher
Buerkle	Hurt	Rokita
Burgess	Jenkins	Royce
Burton (IN)	Johnson (IL)	Ryan (WI)
Campbell	Johnson, Sam	Scalise
Chabot	Jordan	Schmidt
Chaffetz	King (IA)	Schweikert
Coble	Labrador	Scott (SC)
Coffman (CO)	Lamborn	Scott, Austin
Denham	Landry	Sessions
Duncan (SC)	Luetkemeyer	Smith (NE)
Duncan (TN)	Mack	Southerland
Ellmers	Manzullo	Stutzman
Flake	Marchant	Terry
McClintock	McCotter	Thornberry
McCotter	McHenry	Tiberi
McCotter	Miller (FL)	Turner
McHenry	Mulvaney	Walberg
Miller (FL)	Myrick	Walsh (IL)
Mulvaney	Neugebauer	Wilson (SC)
Myrick	Neugebauer	Woodall
Neugebauer	Gowdy	Young (FL)
Neugebauer	Graves (GA)	Young (IN)
Gowdy		
Pearce		

NOES—328

Ackerman	Blackburn	Cassidy
Adams	Blumenauer	Castor (FL)
Aderholt	Bonner	Chandler
Alexander	Boren	Chu
Altmire	Boswell	Cicilline
Andrews	Boustany	Clarke (MI)
Austria	Brady (PA)	Clarke (NY)
Baca	Braley (IA)	Clay
Bachus	Brooks	Cleaver
Baldwin	Brown (FL)	Clyburn
Barletta	Buchanan	Cohen
Barrow	Bucshon	Cole
Barton (TX)	Butterfield	Conaway
Bass (CA)	Calvert	Connolly (VA)
Bass (NH)	Camp	Conyers
Becerra	Cooper	Cooper
Benishek	Cantor	Costa
Berg	Capito	Costello
Berkley	Capps	Courtney
Berman	Capuano	Cravaack
Biggart	Cardoza	Crawford
Bilbray	Carnahan	Crenshaw
Bishop (GA)	Carney	Critz
Bishop (NY)	Carson (IN)	Carney
Black	Carter	Crowley
		Cuellar

Culberson	Keating	Quigley
Cummings	Kelly	Rahall
Davis (CA)	Kildee	Rangel
Davis (IL)	Kind	Rehberg
Davis (KY)	King (NY)	Reichert
DeFazio	Kingston	Renacci
DeGette	Kinzinger (IL)	Reyes
DeLauro	Kissell	Richardson
Dent	Kline	Richmond
DesJarlais	Kucinich	Rivera
Deutch	Lance	Roby
Diaz-Balart	Langevin	Roe (TN)
Dicks	Lankford	Rogers (AL)
Dingell	Larsen (WA)	Rogers (KY)
Doggett	Larson (CT)	Rooney
Dold	Latham	Ros-Lehtinen
Donnelly (IN)	LaTourette	Roskam
Doyle	Latta	Ross (AR)
Dreier	Lee (CA)	Ross (FL)
Duffy	Levin	Rothman (NJ)
Edwards	Lewis (CA)	Roybal-Allard
Ellison	Lewis (GA)	Runyan
Emerson	Lipinski	Ruppersberger
Engel	LoBiondo	Rush
Eshoo	Loeb sack	Ryan (OH)
Farenthold	Lofgren, Zoe	Sánchez, Linda
Farr	Long	T.
Fattah	Lowey	Sanchez, Loretta
Filner	Lucas	Sarbanes
Fincher	Lujan	Schakowsky
Fitzpatrick	Lummis	Schiff
Flores	Lungren, Daniel	Schilling
Forbes	E.	Schock
Fortenberry	Lynch	Schrader
Frank (MA)	Maloney	Schwartz
Frangouh	Marino	Scott (VA)
Fudge	Markey	Scott, David
Gallely	Matheson	Sensenbrenner
Garamendi	Matsui	Serrano
Gerlach	McCarthy (CA)	Sewell
Gibbs	McCaul	Sherman
Gibson	McDermott	Shimkus
Gingrey (GA)	McGovern	Shuler
Gohmert	McIntyre	Shuster
Gonzalez	McKeon	Simpson
Gosar	McKinley	Sires
Granger	McMorris	Slaughter
Green, Al	Rodgers	Smith (NJ)
Green, Gene	McNerney	Smith (TX)
Grijalva	Meehan	Smith (WA)
Grimm	Meeks	Speier
Guinta	Mica	Stearns
Guthrie	Michaud	Stivers
Gutierrez	Miller (MI)	Sullivan
Hall	Miller (NC)	Sutton
Hanabusa	Miller, Gary	Thompson (CA)
Hanna	Miller, George	Thompson (MS)
Harper	Moore	Thompson (PA)
Hartzler	Moran	Tierney
Hastings (FL)	Murphy (CT)	Tipton
Hastings (WA)	Murphy (PA)	Tonko
Hayworth	Nadler	Towns
Heck	Napolitano	Tsongas
Heinrich	Neal	Upton
Herrera Beutler	Noem	Van Hollen
Higgins	Nugent	Velázquez
Himes	Nunnelee	Visclosky
Hinche	Olson	Walden
Hirono	Olver	Walz (MN)
Holden	Owens	Wasserman
Holt	Palazzo	Schultz
Honda	Pallone	Waters
Hoyer	Pascrell	Watt
Hultgren	Pastor (AZ)	Waxman
Hunter	Paulsen	Webster
Inlee	Payne	Weiner
Israel	Pelosi	West
Issa	Perlmutter	Westmoreland
Jackson (IL)	Peterson	Wittman
Jackson Lee	Petri	Wolf
(TX)	Pingree (ME)	Womack
Johnson (GA)	Pitts	Woolsey
Johnson (OH)	Platts	Wu
Johnson, E. B.	Polis	Yarmuth
Jones	Posey	Yoder
Kaptur	Price (NC)	Young (AK)

NOT VOTING—12

Giffords	McCormack	Stark
Harman	Paul	Welch
Hinojosa	Peters	Whitfield
McCarthy (NY)	Quayle	Wilson (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 0225

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 255 OFFERED BY MR. HUELSKAMP

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

The Acting CHAIR (Mr. THORBERRY). The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), add the following new section:

SEC. ____ . None of the funds made available by this Act may be used by the National Labor Relations Board to certify the results of an election of a labor organization under section 9(c)(1) of the National Labor Relations Act (29 U.S.C. 159(c)(1)) that is not conducted by secret ballot.

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from Kansas (Mr. HUELSKAMP) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from Kansas.

Mr. HUELSKAMP. Mr. Chairman, I rise to speak about the importance of protecting America's workers.

My home State of Kansas is one of 22 right-to-work States in which a worker cannot be required to join a union as a condition of employment. This ensures worker freedom, and Card Check poses a direct threat to this freedom.

The last Congress knew that Card Check went against the will of the American people, but the current administration still seems intent on pushing it upon American workers.

To circumvent necessary congressional approval is to attack our representative form of government. If enacted through backdoor administrative paths and without congressional approval, Card Check would eliminate the use of a secret ballot for union elections.

Mr. Chairman, we have to preserve the use of a secret ballot. It is a fundamental institution of democracy. If the private ballot is eliminated, it opens up a window of opportunity for labor unions to strong-arm workers who are in the unions. Just this week in Wisconsin, we have seen the tactics unions are willing to use when they don't get their way; and we know the administration is encouraging this type of behavior across the country.

After speaking with colleagues, I feel another vehicle would be better for this issue, but I could not pass up the opportunity to address this matter on the floor. So I will withdraw this amendment today, and will look forward to working with my colleagues in the coming days to preserve the rights of American workers.

I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 273 OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. 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:

At the end of the bill (before the short title), add the following new section:

SEC. ____ . None of the funds made available by this Act may be used to administer the wage-rate requirements of subchapter IV of chapter 31 of title 40, United States Code, with respect to any project or program funded by this Act.

The Acting CHAIR. Pursuant to the order of the House of February 17, 2011, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from Iowa.

□ 0230

Mr. KING of Iowa. I yield myself 2 minutes.

Mr. Chairman, this amendment that is before the House this evening is an amendment that shuts off the funding within this continuing resolution to what we know as the Davis-Bacon Act.

The Davis-Bacon Act is an old and archaic act that was generated during the Depression era, the early years of the Depression era, in about 1931. It was designed to keep the African American workers out of the trade unions in New York. That's the source of it. I have dealt underneath this law for my working life as a construction contractor, so my hands-on experience with Davis-Bacon, I believe, is as strong as anyone's in this Chamber.

The costs that are added to our construction projects are what we should be thinking about here in this 112th Congress, in this Congress of austerity, on this night that we've had of cutting spending and cutting spending, and it's this:

According to Heritage Study, the extra wages that are paid out unnecessarily total \$10.9 billion. I have done this study within my own construction company, and have looked at the difference in the cost of the Davis-Bacon Federal wage scale. They will call it "prevailing wage." I will tell you we know it's union scale, mandated by Federal law, and there is no reason for us to adhere to a union scale mandated by Federal law. My numbers show this:

It increases the cost of a project between 8 and 35 percent depending on how much is materials and how much is labor. Other data out there show an increase of 9 to 37 percent. Our numbers match well. The costs of compliance for contractors are over \$190 million a year, and it distorts the relationship between management and labor. We are, Mr. Chairman, in an era where our question becomes this:

Do we want to create jobs or do we want to cost jobs? Do we want to build 4 miles of road under Davis-Bacon or do we want to build five? Do we want to build four schools or do we want to

build five? Do we want to have an inflation of wages by an average of 22 percent, which is according to some of the wage and hour studies? Do we want to see the price go up? Do we want to see a construction industry that reduces workers by as much as 25,000 a year in minority workers?

I reserve the balance of my time.

Ms. DELAURO. I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Connecticut is recognized for 20 minutes.

Ms. DELAURO. I yield myself 2 minutes.

Mr. Chairman, this amendment prohibits the use of funds to administer the wage rate requirements under Davis-Bacon. It is yet another illustration of how the majority is making this continuing resolution a Trojan Horse, filled with ideology that irreparably harms working families.

The Davis-Bacon Act ensures that workers on federally funded government contracts are paid no less than the wages paid for similar work in a community. A simple concept. Former President Bush understood this concept when he reinstated the Davis-Bacon rules for reconstruction contracts in the aftermath of Hurricane Katrina.

Despite the majority's argument, the Davis-Bacon Act has no effect on total costs of construction. Study after study reveals that higher productivity makes up for any additional labor cost, essentially eliminating any cost savings if the law were repealed. If this amendment is enacted into law, we will be cheating workers of a fair wage with no cost savings to show for it.

This amendment is nothing more than an attempt to accelerate a race to the bottom. It is that way of doing business which tells workers in this country "you do not matter; your right to a decent wage does not matter; your dreams and your aspirations to do better and to provide for your family do not matter."

All that counts is the power to extract the cheapest possible cost, the lowest labor cost, in return for the highest possible profit. This does not reflect our values as a Nation and certainly not the values that created America's middle class.

Today, as we face 9 percent unemployment, wages falling, the number of families in poverty growing and increasing costs for just about everything, gutting the law that ensures a decent job and a fair wage for workers is the wrong direction. It is the very future of the middle class that is in jeopardy if we pass amendments like the King amendment and, with it, the idea that a society can act with a shared sense of purpose and with a responsibility to each other.

Vote against this amendment.

I reserve the balance of my time.

Mr. KING of Iowa. I yield myself 30 seconds.

It's a little bit amazing to me that the gentlelady can get so focused on

this. I'm the one that should be focused on it in that way and animated. The taxpayers should be animated by this.

They should understand that, when the Federal Government sets union scale and drives the price up and the taxpayers can't afford it, it's not about a race to the bottom. The quality of work for my workers was always there. We take care of our people 12 months out of the year with a benefits package. We're not hiring them out of a union hall for a day, but you make us pay the price as if we were. We uphold our workers. We take care of them. We have the quality there. It's a matter of fact and it's proven, Mr. Chairman.

The Acting CHAIR. The time of the gentleman has expired.

Ms. DELAURO. I yield 2 minutes to the gentlewoman from Hawaii (Ms. HIRONO).

Ms. HIRONO. I rise to speak against this amendment.

Mr. Chairman, the Davis-Bacon Act requires that workers on federally funded construction projects be paid no less than the wages paid in the community for similar work. It sounds fair. The Davis-Bacon Act prevents the Federal Government, a large influential construction owner, from using precious tax dollars to undercut local wage standards through its investments in construction work.

Those against Davis-Bacon say it drives up costs. Not so. Why don't we deal with facts for a change?

Davis-Bacon has no effect on total costs of construction. Study after study reveals productivity makes up for any additional labor cost, essentially eliminating any cost savings if the law is repealed. In other words, projects using highly skilled workers often cost less than those using low-wage, low-skilled workers.

Opponents who claim the government could save billions by eliminating Davis-Bacon protections ignore productivity, safety and the act's economic development benefits, which contribute to the real cost effectiveness of Davis-Bacon.

In addition, the Davis-Bacon minimum wage must reflect the rate of contribution to retirement, health insurance, apprenticeship training, and disability insurance. By including fringe benefits and wage calculations, Davis-Bacon delivers health care and pensions for workers on these projects.

Without prevailing wages, investments in training fall; work related injuries increase; pension coverage drops; fewer workers have health care insurance; wages stagnate and even drop over time; and total construction costs are still unchanged.

In fact, the real economic significance of Davis-Bacon wage requirements for federally assisted construction projects is that it maintains community standards by preventing bottom-feeding contractors from driving down construction workers' wages and working conditions.

I urge my colleagues to vote down this amendment.

Mr. KING of Iowa. I yield myself 15 seconds to announce to the Chair that I have just been called a "bottom-feeder"—a bottom-feeder for providing 12-months-out-of-the-year work, health care benefits and retirement benefits for my employees.

I take it as an insult, but I am not going to ask to take the lady's words down.

Mr. Chairman, I now yield 2 minutes to the gentleman from Georgia (Mr. BROUN).

Mr. BROUN of Georgia. It has been said by many that, when one goes to heaven or hell, you have to fly through the Atlanta Airport.

Just yesterday, I was talking to a contractor who is involved in doing the expansion of the Atlanta Airport, of the Hartsfield-Jackson Airport. We were talking about his business and what was going on, and he was complaining to me about the construction costs and the increase that is mandated by Davis-Bacon.

The previous speaker said that it doesn't raise the costs, but that's totally false.

In fact, this contractor told me just yesterday that the increased cost to the people of Atlanta, Georgia, and to the State of Georgia is 40 percent above what it would be if we did not have Davis-Bacon just leering over their heads like a dagger, causing them to have to pay a higher amount of money.

While we are here in tough economic times, we need to look at what the Federal Government is doing to try to increase the costs for our children and our grandchildren so that they have to pay it in the future. Davis-Bacon is one of those laws, antiquated laws, that does cost today's taxpayers a tremendous amount of money, but it's going to cost our children and our grandchildren their future.

The reason it does that is we're spending money we don't have. Davis-Bacon is a culprit in causing the debt of this country, the debt of Atlanta, Georgia, and the debt of the State of Georgia to go higher.

It is time to put Davis-Bacon to rest. It has outlived its usefulness, and we have to vote to stop the spending. Vote "yes" on this amendment.

□ 0240

Ms. DELAURO. I yield 1 minute to the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. I thank the gentlelady for yielding.

I tell this story every time we talk about Davis-Bacon.

Davis and Bacon were Republicans, and what was occurring was that you had out-of-town workers coming into New York City to build a hospital, undercutting the local labor market at a time when a lot of people were out of work. That's what Davis-Bacon is.

Quite frankly, the last test we had on Davis-Bacon was during the hurricanes down in the gulf coast when President Bush suspended it for a period of time.

We made the case to him that you weren't saving any money. Not only weren't you saving any money, but you were having workers come in because there weren't the anti-kickback provisions, so the payrolls didn't have to be submitted; and you had a lot of illegal workers coming down who still live in Louisiana, undercutting the local labor market.

So I get that we don't like unions on this side of the aisle. But I've got to tell you, if you look at the labor rates for operating backhoes and everything else in the gentleman's, the author of the amendment, a carpenter makes \$14.45 under Davis-Bacon, and a backhoe operator makes \$14.53.

Quite frankly, Mr. Chairman, I don't want somebody who's operating a backhoe near my house making less than that.

Mr. KING of Iowa. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Maryland (Mr. BARTLETT).

Mr. BARTLETT. I don't think that anybody would object to paying workers on these projects a real prevailing wage. The problem is that what's called a "prevailing wage" is not the prevailing wage.

I have a friend who does a lot of ornamental ironwork. A lot of these buildings around here he has done. He lives out in Hagerstown. The contracts that he has to put that in require him to pay prevailing wage when he puts it in down here. The same people that install it down here do the work of preparing it out there. This is a good job in Hagerstown, and that's only—what?—about 70 miles from here. When he comes down here to put it in down here, he has to double their pay for the time he's down here.

It's just not prevailing wage, and that's why it's wrong.

Ms. DELAURO. I yield 2 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. I thank the gentlelady for the time.

Mr. Chairman, when I look at this amendment by Representative KING, it's the closest thing to a jobs bill that I've seen since January started—and it's disappointing. The reality is that I wish we weren't debating this at nearly 3 o'clock in the morning, because I would love the American people to see that this is what substitutes for a jobs bill in this day and age.

The fact is that this is what the very fight is all about. Do we want to build a robust middle class or do we want to pay people the least we possibly can pay them to keep them desperate and drive wages down to nothing so that we have a very small group of really wealthy people and a vast group of really desperate people who would do anything to work and who could have their unions busted because you've got people who've got to do what they've got to do and cross that line?

This is at the heart of what it's all about.

This is the fight.

Shall we have a middle class and pay people decent wages or shall we continue on this drive to separate and increase wage inequality in this country so that the richest have so much and so that the rest of us just don't have much at all?

Davis-Bacon is good legislation because it strengthens our middle class so that people can actually have a decent quality of life, send their kids to school, be able to send them to college, and have decent retirements. It's about making a strong middle class based on a decent, livable wage.

Mr. KING of Iowa. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. I thank the gentleman from Iowa for bringing this amendment forward.

Mr. Chairman, I just want to share with you a little story that we experienced over the past couple of years with Davis-Bacon. I think that the people we often forget about here when we get into these debates are the taxpayers, themselves. The taxpayers are the ones who have to foot the bill for the wages that Davis-Bacon drives up.

After the stimulus bill was passed a couple of years ago, even though I opposed the idea of what the stimulus bill was going to do, we in our community had been taking the initiative to put in sewer systems around our lakes and our rivers to protect our soil and our resources. After a couple of projects that had already been bid out without Davis-Bacon wages, the company contacted our office and said, Hey, we would like to apply for stimulus dollars to help drive our costs down on these particular projects.

Well, after doing some research, because they did not bid the projects with Davis-Bacon wages, they were ineligible, and therefore were going to be paying higher rates. They were also going to be paying the contractors, themselves, at a lower wage because they were not eligible for the stimulus money, money which would have put infrastructure into our communities, allowing for the building of long-term assets in our communities. Instead, they were ineligible because they had not bid Davis-Bacon wages.

I think it's very important that we remember the taxpayers, who have to fund these projects because of the higher costs, and I think it's important that we also remember that each community individually recognizes that their labor costs are different and that they shouldn't always be required to deal with Federal standards.

I appreciate the gentleman from Iowa for bringing his amendment forward, and I ask that you support it.

The Acting CHAIR. The gentlewoman from Connecticut has 13½ minutes remaining, and the gentleman from Iowa has 12¼ minutes remaining if they choose to use it all.

Ms. DELAURO. I yield 1 minute to the gentleman from Washington (Mr. McDERMOTT).

Mr. McDERMOTT. The gentleman from Minnesota really made the point. Here we are at a quarter to 3 in the morning, going after the working people of this country.

In 1932, we didn't have unemployment insurance.

Now, I'm sure your next amendment will be "no money should be spent for unemployment insurance in this country" because that creates that moral hazard where people sit at home and wait for that check to come in, right? They won't go down and look for work. We also had no workers' comp in this country before 1910. If a guy got hurt, they threw him out in the street and got somebody new. We didn't care.

If that's the kind of country you want to go back to, I suppose the next bill you bring out here will be "let's repeal the minimum wage." Why the heck do we have minimum wage? Do you know what the prevailing wage in this city was when this building was built? It was built by slaves. Now, is that where you want to go? What are you after?

The Government of the United States should set a standard of what we want for the working people in this country.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair would remind all Members to direct their comments to the Chair, not to others in the second person.

Mr. KING of Iowa. I yield myself 2 minutes.

I want to point out to the body also, Mr. Chairman, that I have lived under the Davis-Bacon wage scale for years. I've met payroll for 28½ years—over 1,400 consecutive weeks. I've worked for a wage underneath Davis-Bacon wage scales, and I've worked in merit shop operations. I've worked in shops in the wintertime and on construction projects in the field before it froze up, from the spring to fall. I've been on all sides of this. I've been a laborer on the pipeline. I've been a heavy equipment operator. I've been an owner and I've managed people, and I've watched what Davis-Bacon has done at every single level along the way.

It distorts the relationship between management and labor. It takes away from the individuals the ability or the willingness to contribute to the decision-making process.

□ 0250

When the government comes in and says, "on one side of the road, you're going to pay your laborers \$14 an hour, but on the other side of the road you're going to pay them \$21 an hour, and if they climb in the seat of a motor grader it's going to be \$35 an hour, but if it happens to be a finish machine then it's going to be \$40 an hour," you watch your crews jockeying for the highest paying job there is.

What happens if you sit back at a bird's-eye view?

They will be scrambling over to climb onto the machine that's the least useful but that pays the most money.

Then if you go away for a few days, you'll come back and find out they've rolled all the clods, that your wage price has gone up and that you're no longer competitive, and you'll have to go back on the job and essentially get out—this is figuratively speaking—the whip and make sure you crack it so you get people pushing as hard as possible.

It raises the tension, and it takes away a lot of the pleasure of taking pride in your work because now management is pitted against labor, and labor is pitted against labor in jockeying for the highest paying jobs.

This is no way to run a business. It's no way to run a company. It's no way to run a country to think that we here in this Congress should be one of the ones deciding what someone should get paid, or at least writing the rules for it, knowing that it's not prevailing wage but that it's union scale, and it takes 2½ years to get a ruling on what's prevailing wage and what isn't, and so we just don't know what it is for 2½ years.

I reserve the balance of my time.

The Acting CHAIR. The gentleman from Iowa has 10¼ minutes remaining. The gentlewoman from Connecticut has 12½ minutes remaining.

Ms. DELAURO. I reserve the balance of my time.

Mr. KING of Iowa. I yield myself the balance of my time.

I will point out that there has been a misunderstanding here with regard to an agreement on the length of this amendment discussion. We'd agreed to take it down to 10 minutes each, but when the announcement was made, I think it was confusing to both sides.

So what I'd like to do is try to wrap up my side of this in 1 minute and yield to the gentlelady from Connecticut for as much time as she may think is appropriate to consume in order to close, if that would be agreeable. I'm going to move ahead with my part by picking up where I left off.

Mr. Chairman, the inefficiencies that are created by Davis-Bacon are multiplied in the costs that are in the jobs that we do. It is an 8 to 35 percent increase in the overall costs of our construction projects. We need to keep people at work. It means fewer people are working for more money, and it means a more distorted economy and inefficiencies that are built in that completely distort the cost of these wages.

So it is important for us to know that this isn't the first debate before this Congress but that it is the first intense debate that has taken place since the Republican majority took over here in 2011. Back in 1995, some of the cosponsors of the original Davis-Bacon repeal, a similar amendment, were BOEHNER, BARTLETT, COBLE, DREIER, GOODLATTE, HERGER, McKEON, and WOLF.

I would urge adoption of this amendment and a strong vote to cut the funding off to anything that would be enforcing Davis-Bacon wages under this CR.

I yield back the balance of my time.

Ms. DELAURO. I yield the balance of my time to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Members of both parties should oppose this amendment because it rests on three misjudgments.

The first misjudgment is that the wages established by this Davis-Bacon practice are union-imposed wages. The fact of the matter is they are prevailing wages which are determined by a survey of the local marketplace.

The second misjudgment is that it always raises the cost of a construction project. The fact is quite the opposite. When the productivity rises, the value rises; and if you have better performance and fewer errors and the faster completion of a project, productivity rises, and you get more value.

But I think the most important misjudgment is that it is, one more time, the wrong issue at the wrong time. There are a lot of Americans awake at this hour. Thankfully, for them, they're probably not watching this debate, but they're awake at this hour because this has yet been another day and another week and another month with no paycheck, no job and no hope.

What they want us to do is to work together to put them back to work. Yet what we have seen in the last 24 hours is a debate over whether to defund Planned Parenthood, a debate over whether to repeal most of the environmental protections that have taken 40 years to build up in this country, a debate over whether people have the right to know if they're buying safe toys, and now a debate over whether to repeal a successful labor-management partnership.

It's the wrong amendment at the wrong time.

Vote "no."

Mr. QUIGLEY. Mr. Chair, I rise in opposition to Amendment No. 273, offered by my colleague, Congressman KING.

This amendment's intent is to defund wage law requirements as established by the Davis-Bacon Act.

Davis-Bacon doesn't just help the workers who build our country support their families; it also makes sure that taxpayers get their money's worth.

The Davis-Bacon Act fosters competition based on quality, attracting workers who are more productive, more experienced, and well-trained.

The Federal Government should not be the engine driving the "race to the bottom", and Davis-Bacon helps ensure that public projects do not facilitate low ball bids that undercut the American worker.

Reports show that projects constructed with Davis-Bacon wage provisions are more likely to be completed on time, within budget, and with fewer future repair costs.

Problems arise in projects when you have unskilled workers who are working at the lowest of wages and do not have benefits to support their families. Prevailing wage laws help ensure the best condition for workers, and em-

ployees respond by putting their best work forward, benefiting the community and the taxpayer.

Elimination of the Davis-Bacon Act—which stabilizes wages, provides benefits to families, and promotes competition based on quality—would only foster an environment of low bidding, low wages, and poorer quality of work.

Ms. HIRONO. Mr. Chair, I rise in opposition to the King amendment.

This amendment would strip away Davis-Bacon wage protections in Hawaii and nationwide.

Enacted in 1931, the Davis-Bacon Act ensures that workers on federal construction contracts receive at least the prevailing wage for construction jobs. The Davis-Bacon Act ensures projects are built by skilled and experienced workers who know what they're doing. Prevailing wages and higher-skilled work result in greater productivity and lower cost.

In industries without Davis-Bacon protections, we have seen unscrupulous contractors engage in a "race to the bottom," trying to undercut each other to perform shoddy work, with less-skilled workers, at sub-par wages. These projects often end up costing more in the long run due to repairs, revisions, and delays.

Some claim that Davis-Bacon costs the Federal Government more. On the contrary, studies show that higher-wage workers are more productive, saving hundreds of millions of dollars in the long run.

Construction workers who build highways, homes, or buildings should be able to earn enough to feed their families, put a roof over their heads, and send their kids to college. Beyond just helping workers and their families, prevailing wages improve local economies. Workers spend their income in local businesses and pay local taxes. Workers participate in building trades training programs and health care programs and are not dependent on benefits from other social programs. One study found that local prevailing wage law generated 2.4 times the economic benefit of the cost of the construction project.

Sadly, this amendment is another example of this bill's consistent attacks on American workers, including the construction workers, teachers, nurses, police officers, and firefighters who are committed to build, educate, heal, and protect communities in Hawaii and throughout our country. Rather than focus on providing good jobs with fair pay, the Republicans are more interested in increasing corporate profits on the backs of American workers.

I strongly support Davis-Bacon protections and oppose this misguided amendment. I urge my colleagues to do the same.

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

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

Mr. KING of Iowa. 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 Iowa will be postponed.

AMENDMENT NO. 567 OFFERED BY MS. HAYWORTH

Ms. HAYWORTH. 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:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to implement section 1899A of the Social Security Act (42 U.S.C. 1395kkk), as added by section 3403 of the Patient Protection and Affordable Care Act (Public Law 111-148).

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentlewoman from New York (Ms. HAYWORTH) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. HAYWORTH. Mr. Chairman, section 3404 of the Patient Protection and Affordable Care Act created the Independent Payment Advisory Board, known by the acronym "IPAB." Beginning in 2014, this 15-member board will be charged with cutting the growth rate of Medicare spending. IPAB is designed as a bureaucracy that will be looking not at how to improve patient care but how to hit an expenditure target.

PPACA limits what IPAB would be able to do to restrict cost growth. For example, IPAB cannot recommend higher cost sharing, or otherwise restrict benefits or eligibility. The primary means of achieving expenditure targets will be to reduce payments to physicians and hospitals. This, in turn, will reduce access to providers—access that Medicare patients need to have—as the providers will find that they will not be able to afford to accept Medicare's reimbursement rates.

Furthermore, Congress ceded a tremendous amount of power to the IPAB. If Members believe that the cuts proposed by IPAB won't work or are too draconian, it will take an affirmative act by future Congresses to overturn its recommendations. This represents an abdication of responsibility by Congress, whose Members are expected to make these decisions, not unelected, unaccountable Federal bureaucrats. Equally troubling, the IPAB bears more than a passing resemblance to the British National Institute for Clinical Excellence, which governs payment for the National Health Service.

From my vantage point as an ophthalmologist, one example will demonstrate why a similarity between IPAB and NICE, which is the ironic acronym for this powerful British entity, should give all of us pause. Up until a couple of years ago, NICE refused to pay for treatment for a form of macular degeneration that led, in most cases, to legal blindness if the sufferer had good vision in the other eye. This is nearly impossible for an American to fathom that a government agency would compel a doctor to, in effect, calmly watch a patient go blind in one eye even though vision-saving treatment was available.

If an unelected board of advisers is compelled to make decisions primarily

on the basis of cost, then this is the kind of awful choice our doctors and patients may well be forced to accept; and this is one of many reasons the Affordable Care Act was repealed by the House last month. We honor the goals of this law to allow all Americans to have access to good care with affordable, portable health insurance; but we need to go about achieving those goals while preserving the choice, quality and innovation that Americans expect and deserve.

□ 0300

As we craft alternatives that will honor the best of American medicine, we will best serve our citizens by prohibiting any funding towards the implementation of the Independent Payment Advisory Board.

I strongly urge the support of all Members for the amendment I am sponsoring, and I thank you.

I yield back the balance of my time.

Ms. DELAURO. I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Connecticut is recognized for 3 minutes.

Ms. DELAURO. Just to make a point, it sounds from the gentlelady like what you want to do is raise the Medicare rates and cut benefits—but let me just get on with this here.

How many times, as I said earlier, do we have to vote on the Affordable Care Act? This long series of “defunding health reform” amendments shows how far the House is straying from a serious legislative process. So far today, the House has passed no fewer than three separate, overlapping and duplicative amendments that prohibit the use of funds to carry out the Affordable Care Act.

First, the House passed the Rehberg amendment: prohibiting the use of funds for this purpose by any agency funded in the Labor-HHS-Education appropriations bill. A few minutes later, the House passed an amendment by Mr. KING: prohibiting the use of funds by any Federal agency for this purpose. A few minutes after that vote, the House passed another amendment by Mr. KING: prohibiting funds to pay the salary of any Federal employee to implement or administer the Affordable Care Act.

The majority party does not like the Affordable Care Act, and would like to cut off all funding for the act’s implementation—now that much is clear—but how many times do we need to pass the same prohibition yesterday and today? Will three times be enough or will the House just keep passing more and more amendments, doing essentially the same thing until everyone on the majority’s side has satisfied their urge to make clear just how opposed they are to expanding the availability of health care in this country?—which is what the Affordable Care Act is all about.

Instead of this pointless debate, we should be working on what the Amer-

ican public wants. They want us to create jobs. They want us to get this economy going again. They want to make sure that they have jobs, that they’re able to send their children to school—and yes, they would like to have health care benefits so that, when they get sick, they will be able to have the kinds of treatment that all of us in this body have by virtue of being Members of the Congress.

We go to the head of the line. They can’t get the same kind of care that we get.

Yet, day in and day out over these last several days, we’ve watched our colleagues on the other side of the aisle do everything they can to deny the American public the opportunity to have the same kind of health care that Members of Congress have.

I urge a “no” vote on this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. HAYWORTH).

The amendment was agreed to.

AMENDMENT NO. 154 OFFERED BY MR. BURGESS

Mr. BURGESS. 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:

At the end of the bill (before the short title) insert the following new section:

SEC. ____ . None of the funds made available by this Act may be used to carry out paragraph (11) of section 101 of Public Law 111–226 (124 Stat. 2389).

The Acting CHAIR. Pursuant to the order of the House of February 18, 2011, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 3 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas (Mr. CANSECO).

Mr. CANSECO. Mr. Chairman, I rise in strong support of the Burgess amendment.

Last August, as part of a \$26 billion bailout bill for States, \$10 billion was set aside to be distributed to the States for education. The State of Texas was set to receive \$830 million as part of this education funding. As far as we are concerned, government spending does not create jobs or economic prosperity. Nonetheless, the money was appropriated for all States in the Union.

Yet tucked into this legislation was an amendment that was deliberately and maliciously slipped into it that imposed a restriction on the State of the Texas, and only Texas, so that for Texas to receive the money would force Texas to violate its constitution. The restrictive amendment required that Texas guarantee that spending levels for elementary and secondary education not dip below 2010 levels for 3 years.

This is troubling. To accept the funds, Texas would have to violate its State constitution.

Neither the Governor nor the State government branches are able to make budget decisions that bind future legislatures. This amendment is not about whether or not taxpayers’ money will be spent or saved since the funds have already been appropriated. The amendment is about fairness, equal treatment for American taxpayers in one State, and malicious conduct in an arena involving Texas taxpayers and Texas schoolchildren where such legislative conduct is unconscionable.

Ms. DELAURO. I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Connecticut is recognized for 3 minutes.

Ms. DELAURO. I yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. When Texas received \$3.25 billion in education stimulus funds over the objection of every Texas Republican, Governor Perry played a shell game that left Texas schools not a dime better off than if no Federal aid had come in the first place. That is the only reason that, last summer, all 12 Democratic Texas Members—from CHET EDWARDS to SILVESTRE REYES, from HENRY CUELLAR to GENE GREEN—united, joined together, in offering our Save Our Schools amendment, which is today Federal law.

Tonight’s proposal seeks to nullify that protection so that Governor Perry can reach out for another Federal bailout even if it means taking \$830 million away from Texas schoolchildren. Defectively written, this amendment fails to repeal anything. The enforcement funds that it would limit are not in this bill. They are already appropriated. Vote “no” on a very flawed amendment for a failed purpose.

Stop begging Washington for help, Governor. Just sign the application.

Mr. BURGESS. Mr. Chairman, I yield 1 minute to the gentlewoman from Fort Worth, Texas (Ms. GRANGER).

Ms. GRANGER. I know it’s late and people are tired, but it’s not too late to right a wrong—the wrong that was done was against the schoolchildren of Texas to the tune of \$830 million.

The Congress is asking the Governor of Texas to do something that he is constitutionally unable to do. What is happening to our schools is the same as in many States, but Texas has this extra burden of scrambling to find ways to afford to keep those classrooms open and the teachers there.

What we are asking you to do is to release Texas from this burden that only Texas has which was put on Texas by this Congress, I think unintentionally by most of the people in this Congress. So I would say tonight this is an issue that deals with Texas but that it affects every schoolchild and every teacher in our State.

Ms. DELAURO. I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. To my colleagues, what would you do if \$3 billion for education were denied the

schoolchildren of Texas or of South Carolina or of California? You'd come to their aid. Nine Democratic Members, lonely Members—all by ourselves—decided to fight for the school districts of Texas. They called us and asked us for help.

□ 0310

What we did was just ask the Governor to certify that the dollars that we would send them—that had no votes from the Republicans—would be for the schoolchildren of Texas. I will do it tomorrow, yesterday and forever.

Today, our school districts are being cut—six in my district. Houston, Texas, HISD is being cut by \$300 million. Our Governor is going against the funding process of this country. You cannot take and hoard money for children and expect us to sit idly by.

I am proud to be one of nine Democrats who stood up for the children. I ask my colleagues to stand up for us. Let the moneys go to the children and not in the pocket of the Governor of the State of Texas.

This amendment prevents the Department of Education from enforcing language that would ensure Texas school districts receive \$830 million from the Education Jobs Fund that was passed last year. The Texas Delegation fought hard for these funds so that they are distributed to our neediest school districts and provides assurance that Texas will not single out education for disproportionate budget cuts in the next budget cycle.

Mr. Chair, I recently met with several superintendents of school districts in my congressional district about this issue and this is not unique to schools in Houston. In fact over 40 Texas superintendents including: several Houston school districts, Texas Elementary Principals and Supervisors Association, Texas AFT, Texas Association of School Boards, Texas State Teachers Association, Association for Texas Professional Educators, Texas Association of School Administrators, Texas Classroom Teachers Association, requested that the Federal funds sent to the State for education should be released immediately to those districts. Our children deserve the best quality education so they can grow up to obtain good jobs. The Governor simply needs to certify that the 830 million Federal funds will only be used for education. What does this mean in terms of jobs in Texas? This amendment would essentially cut 14,500 teaching jobs in Texas. Republicans continue to say we need to create jobs, and this amendment does the complete opposite while placing our children at a disadvantage. We cannot turn our backs on our children who need a quality education and certainly not turn our backs on our teachers in a time when our economy is fragile and when they need us the most. Let us support our Texas children. Texas is estimated to have a projected deficit of up to \$27 billion and there are plans to cut millions for key programs. It is unacceptable to continue with politics as usual. The Federal dollars will be released upon certification that its only use is for the education of Texas school children.

I urge my colleagues to join me and the thousands of teachers in Texas who are against this anti-Texas amendment and vote against the Burgess amendment and look out for the best interest of our children.

Mr. BURGESS. Mr. Chairman, may I inquire as to the remaining time?

The Acting CHAIR. The gentleman from Texas has 30 seconds remaining. The gentlewoman from Connecticut has 1 minute remaining.

Mr. BURGESS. I yield myself the balance of my time.

We are hearing a lot about \$3.25 billion that was sent to Texas under the stimulus/ARRA funds in 2010-2011. This money was actually appropriated by the Texas State legislature—Texas Senate: 29 ayes, 2 nays; the House: 142 ayes, 2 nays—in a bipartisan fashion. It was not the Governor. It was the State legislature, appropriately, that dealt with this money.

Texas has long prioritized public education funding. From 2000 to 2009, Texas public education spending increased \$9 billion, or 82 percent.

OFFICE OF THE GOVERNOR,

February 18, 2011.

DEAR TEXAS CONGRESSIONAL DELEGATION: The current Education Jobs statute directs me to violate the Texas Constitution by requiring me to commit a certain level of spending on public education in 2011, 2012 and 2013—prior to Texas even adopting our 2012-13 budget. No other state has to make these commitments beyond 2011.

Texas submitted its application to the U.S. Department of Education on September 3, 2010, making every assurance allowed under Texas law. The application was nonetheless rejected. To date, 48 out of 50 states have received their share of Education Jobs funding.

Texas has long prioritized public education funding; from 2000 to 2009 Texas public education spending increased \$9 billion, or 82 percent.

By passing Congressman Burgess' amendment, Congress can help right a wrong, apply equity to Texas, and quickly get \$830 million flowing to Texas schools, teachers and children.

Sincerely,

RICK PERRY,

Governor.

The Acting CHAIR. The time of the gentleman has expired.

Ms. DELAURO. I yield the balance of my time to the gentleman from Texas (Mr. REYES).

Mr. REYES. I thank the gentlelady for yielding.

I rise in opposition to Mr. BURGESS' amendment because the State of Texas today is facing a \$27 billion deficit.

Last week, Governor Rick Perry came to Washington to ask our Republican colleagues for an \$830 million bailout—and voila—we have Mr. BURGESS' amendment. If this amendment passes, it will shortchange our schools and give a huge bailout to Governor Rick Perry.

Last year, as you have heard, he accepted more than \$3 billion in Federal funds, but instead of going and putting that money towards education in Texas, he used it to expand the State's tax surplus rainy day fund.

Today, Mr. BURGESS' amendment would absolutely give Governor Perry a blank check—how good is that?—giving an \$830 million bailout to the same State leadership that robbed Texas children and Texas schools and Texas teachers of that money before.

With that, I ask support to bring down this amendment.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. DICKS. I yield to the gentleman from Texas (Mr. GREEN).

Mr. GENE GREEN of Texas. I want to thank my colleague and ranking member from Washington State.

I rise in opposition to this amendment. Representative BURGESS' amendment would endanger the \$830 million already set aside for classrooms and school districts in Texas through the Education Jobs Fund that was passed last August. At a time when our State is facing an almost \$27 billion deficit, these are crucial moneys that can be used immediately to help school districts throughout Texas.

Let me give you a little history.

During the Recovery Act of 2009, Texas received \$12 billion. Of that, \$3.2 billion was supposed to be for public education. Our Governor and the Texas legislature used \$12 billion. Instead of supplementing the current education funding, they used the \$3.2 billion in place of the current education funding. The Governor went all over the country, getting books signed, saying how bad the Federal Government is, but they didn't give back that \$12 billion. They used it to plus-up the rainy day fund that's over \$9 billion right now, and they don't even want to use it.

So, at that time, what the Democratic Members from Texas said was that we want to make sure this \$830 million goes to the schoolchildren of Texas. That's what this would do, and that's what this law does. It would make sure that that money would go to the schoolchildren. It wouldn't get stuck in Austin. It would go down to my Houston school district, the Galena Park School District, which is having to cut its budget right now because it didn't get that \$3.2 billion 2 years ago.

That's why the Burgess amendment should be defeated, Mr. Chairman, and that's why we put this amendment into law. It's in the law now, and I'm proud of it. Let the money go to the school districts instead of to the folks who decided to keep it in the State capital.

Mr. DICKS. I yield 1 minute to the gentleman from Texas.

Mr. ROGERS of Kentucky. I object.

Mr. DICKS. You can't object.

The Acting CHAIR. The gentleman from Washington controls the time for striking the requisite number of words. He is entitled to 5 minutes. He has 2 minutes 45 seconds remaining.

Mr. DICKS. I yield the gentleman 45 seconds.

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. DICKS. I yield to the distinguished chairman.

Mr. ROGERS of Kentucky. We bent over backwards to accommodate the gentleman, but this has gone beyond what we agreed to.

Mr. DICKS. We will finish this up in 45 seconds.

Mr. ROGERS of Kentucky. Would the gentleman yield this gentleman, Mr. BURGESS, 1 minute?

Mr. DICKS. I would be delighted to do that.

I yield 1 minute to the gentleman from Texas.

The Acting CHAIR. The gentleman from Washington cannot yield blocks of time under the five-minute rule.

Mr. DICKS. That's right. I can regain the time under the five-minute rule.

Mr. BURGESS. Mr. Chairman, in the interest of comity, I will yield back any time that was yielded to me. The other side has had plenty of time to talk. We need to vote on this amendment and move on.

Mr. DICKS. I yield to the gentleman from Texas.

Mr. DOGGETT. I thank the gentleman.

I enter in the record the request of education organizations from all over the State of Texas for this amendment and the statements of the Texas delegation last year and again this year.

Governor Perry may have come up here on a book tour for his book "Fed Up," but he's not afraid to ask for second and third helpings of Federal aid even though it takes it away from our schoolchildren.

There is a clear path to getting this money. All the Governor needs to do is to sign a three-page application, like the one he signed to get that \$3.25 billion of aid he used for purposes other than education. Though this is presented as an attempt to repeal our amendment, it does not repeal it. It is a meaningless gesture, though it does cloud up the possibility that some Federal court may suggest that Texas is not entitled to any money.

Let's not shut the door of opportunity to our children. Reject this amendment.

JUNE 22, 2010.

Hon. ARNE DUNCAN,
Secretary, Department of Education, Washington, DC.

Hon. STENY HOYER,
Majority Leader, House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.

Hon. DAVID OBEY,
Chairman, Committee on Appropriations, House of Representatives, Washington, DC.

DEAR SECRETARY DUNCAN, SPEAKER PELOSI, MAJORITY LEADER HOYER, AND CHAIRMAN OBEY: Last year, before the education stabilization funds were provided to Texas, many of us joined together to urge you to ensure that these funds would increase the funding for Texas schools instead of merely replacing state education funding. Unfortunately, as the legislation was written the State was able to reduce its own obligations to fiscally support public education and supplant those funds with \$3.25 billion of federal stabilization monies. As the Administration considers additional emergency education funding to save teachers' jobs, we urge you to prevent history from repeating itself and ensure that any funds Texas receives go to help Texas schools, teachers, and students.

We support the legislative language that Members of the Texas Delegation have proposed that would guarantee these emergency federal education funds are actually spent on education in Texas. As drafted, this Texas fix has no impact on any other state and would ensure that the law is implemented as Congress and the Administration intended: to save and create teacher jobs. Specifically, this language includes four provisions that we would like to see included in any emergency education jobs bill:

Limits the additional requirements to states with Texas-sized rainy day funds;

Requires the emergency education jobs funds be distributed to Local Education Agencies within the state according to the Title I-A formula;

Prohibits supplanting of state Title I-type funds with these new emergency federal funds for education jobs; and

Requires maintenance of state primary and secondary education support in FY11, FY12, and FY13 at the current percentage of revenue provided for FY11.

This language does not prohibit cuts to education in Texas's budget, but it does prevent the state from singling out education for more cuts than other budget items due to the influx of funds from the emergency federal monies for education jobs. With Texas facing a serious budget shortfall in the coming biennial budget, the last thing we need to allow is these funds to be diverted to fill non-education gaps in the budget. We hope that you will ensure that Texas school districts do not fall through the legislative cracks this time around.

The Texas superintendents and education organizations listed below are in agreement with this letter and have given permission to add their names in support.

TEXAS SUPERINTENDENTS

(Total of 38 From Across the State of Texas)

Wanda Bamberg, Aldine ISD; Meria Carstarphen, Austin ISD; Jim T. Rumage, Banquete ISD; Jamey Harrison, Bridge City ISD; Brett Springston, Brownsville ISD; Reece Blincoe, Brownwood ISD; Jeff Turner, Coppell ISD; Scott Elliff, Corpus Christi ISD; David Anthony, Cypress-Fairbanks ISD; Michael Hinojosa, Dallas ISD.

Leland Williams, Dickinson ISD; Frances Rocha, Edcouch-Elsa ISD; Bob Wells, Edna ISD; Lorenzo Garcia, El Paso ISD; Melody Johnson, Fort Worth ISD; Paul Clore, Gregory-Portland ISD; Jeremy Lyon, Hays CISD; Terry Grier, Houston ISD; Emilia Castro, Kingsville ISD; A. Marcus Nelson, Laredo ISD.

Michelle Carroll Smith, Lytle ISD; James Ponce, McAllen ISD; Richard A. Middleton, North East ISD; John M. Folks, Northside ISD; John Kuhn, Perrin-Whitt CISD; Sharron L. Doughty, Port Aransas ISD; Alfonso Obregon, Robstown ISD; Robert J. Durón, San Antonio ISD; Mike Quatrini, San Elizario ISD.

Patty Shafer, San Marcos CISD; Greg Gibson, Schertz-Cibolo-Universal City ISD; Rock McNulty, Smithville ISD; Lloyd Verstuyft, Southwest ISD; Robert Santos, United ISD; Joddie W. Witte, Van ISD; Richard Rivera, Weslaco ISD; H. John Fuller, Wylie ISD; Michael Zolkoski, Ysleta ISD.

TEXAS EDUCATION ORGANIZATIONS

(Teachers, Principals, School Boards, and Administrators)

Sandi Borden, Executive Director, Texas Elementary Principals and Supervisors Association; Linda Bridges, President, Texas AFT; James B. Crow, Executive Director, Texas Association of School Boards; Rita Haecker, President, Texas State Teachers Association; Doug Rogers, Executive Director, Association of Texas Professional Edu-

cators; Johnny L. Veselka, Executive Director, Texas Association of School Administrators; Brad Willingham, President, Texas Classroom Teachers Association.

TEXAS DEMOCRATIC DELEGATION STATEMENT ON PROTECTION FOR SCHOOLCHILDREN

Last year, we voted for the Economic Recovery Act, which included \$3.25 billion to support local Texas school districts. But instead of using these funds as Congress intended, State Republican Leadership used them to replace state education funding, thereby denying an increase in support for our local school districts.

We want to ensure that any new emergency funds Congress provides for education actually help our Texas schools. We have requested additional protections be incorporated into any Supplemental Appropriations legislation specifically for Texas schoolchildren to ensure local districts actually receive this federal help. These protections will ensure that the \$820 million in new emergency federal funds for education go to preserve teacher jobs throughout the State and meet other local education needs.

These funds would go to local schools as long as the Governor certifies that (1) federal funds are not used merely to replace state education support, and (2) education funding will not be cut proportionally more than any other item in the upcoming Texas General Appropriations Act. This prevents any further shell games with federal education dollars at the expense of local schools districts. This approach has been endorsed by Texas statewide education organizations representing teachers, principals, school boards, school administrators, and nearly 40 superintendents.

A solid education is the foundation on which our economy and our democracy rest. Our support for our local school districts reflects a two-fold understanding: First, local districts know best what the needs of their students, teachers, and administrators are. Second, especially in times of a difficult economy, we need to invest in our schools.

Our language helps ensure local school districts in Texas have the support they need.

Lloyd Doggett; Gene Green; Rubén Hinojosa; Chet Edwards; Henry Cuellar; Charlie Gonzalez; Al Green; Solomon Ortiz; Silvestre Reyes; Eddie Bernice Johnson; Sheila Jackson Lee; and Ciro Rodriguez.

(January, 2011)

TEXAS DEMOCRATIC DELEGATION STATEMENT ON FUNDING FOR TEXAS SCHOOLS

Since the U.S. House of Representatives approved new education legislation that became federal law last August, all that has stood between Texas schools and \$830 million of aid is Governor Rick Perry's signature on a three-page application. More than five months later, the Governor still refuses to turn in even that little bit of homework. With Texas public education continuing to lag in math and science scores while facing a budget crisis, our State has remained one of only two in the entire country, which have not received their share of these new federal education dollars. And these funds should be going where they are needed—to local Texas schools.

Last year, Governor Perry raised previously unmentioned constitutional limitations that allegedly prevented his acting before the Texas Legislature had convened. We disagreed with that excuse then, and we continue to disagree with it now. But with the Texas Legislature already in session, the

Governor has certainly lost his sole stated excuse.

In his own words, the Governor applied for previous emergency federal education funds as part of the Economic Recovery Act “only in concert with State lawmakers while the 2010–2011 budget was being finalized.” Now that the Texas Legislature has consideration of the 2012–2013 budget underway, we respectfully urge the Governor in 2011 to do just what he did in 2009. After working “in concert with state lawmakers,” he should simply sign on the dotted line requesting the \$830 million in federal education funds that remain available a few months longer for local Texas schools.

In 2009, the State used \$3.25 billion emergency education funds only to replace State funding, thereby denying an opportunity to support improvements in the quality of public education. That is why last year, our Delegation acted to prevent history from repeating itself. We worked with Texas superintendents and education organizations representing tens of thousands of Texas teachers, principals, school boards, and school administrators to craft legislative language ensuring this new emergency education funding actually helps Texas schoolchildren.

The additional protections that our Delegation authored simply ensure that federal funds are not once again used only to replace State education support. This new federal law offers Texas State officials the flexibility to cut, maintain, or increase State education support, but prohibits any further shell games with federal education dollars at the expense of our local schools.

Last summer, the Governor Perry told the Department of Education that Texas planned to eventually complete the proper application for these funds, but no such application has been forthcoming. After so long, with so much at stake, Texas students deserve better. We again urge the Governor to sign the three-page application so that our Texas schools will receive the federal aid that Congress has provided to be used solely for public education.

Lloyd Doggett; Gene Green; Rubén Hinojosa; Henry Cuellar; Charlie Gonzalez; Al Green; Silvestre Reyes; Eddie Bernice Johnson; Sheila Jackson Lee.

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

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

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

Mr. DOGGETT. 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.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. DICKS. The gentlelady from Hawaii (Ms. HANABUSA) had an amendment which she is going to withdraw. I want to enter into a very brief colloquy in which she can explain what her amendment attempted to do, and then we are not going to offer it.

Ms. HANABUSA. I thank the gentleman from Washington for yielding.

Mr. Chairman, the amendment that I had offered and that I am withdrawing

has to do with the Native Hawaiian Housing Block Grant.

The reason it is so critical to the people in Hawaii is that it is not like any other block grant. It really fulfills a trust obligation which this Congress created in 1920 by way of the Hawaiian Homes Commission Act. That act recognized that it was necessary to return native Hawaiians to the land for the preservation of their culture, their traditions and their values. What the Native Hawaiian Housing Block Grant did was actually facilitate that. It is a very successful program, nonpartisan in Hawaii, one that our Republican Governor considers to be her legacy and one that has done exactly—exactly—what we want to see these grants do.

Mr. DICKS. I appreciate the gentlelady for withdrawing her amendment so we may proceed with the next speaker.

I yield back the balance of my time.

□ 0320

AMENDMENT NO. 540 OFFERED BY MR. LATOURETTE

Mr. LATOURETTE. 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:

Strike all after the enacting clause and insert the following:

DIVISION A—FULL-YEAR CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2011

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2011, and for other purposes, namely:

SECTION 101. (a) Such amounts as may be necessary, at the level specified in subsection (c) and under the authority and conditions provided in applicable appropriations Acts for fiscal year 2010, for each account, program, project, or activity (including the costs of direct loans and loan guarantees) for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (Public Law 111–80).

(2) The Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010 (division B of Public Law 111–117).

(3) The Department of Defense Appropriations Act, 2010 (Public Law 111–118).

(4) The Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85).

(5) The Financial Services and General Government Appropriations Act, 2010 (division C of Public Law 111–117).

(6) The Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83).

(7) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010 (division A of Public Law 111–88).

(8) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2010 (division D of Public Law 111–117).

(9) The Legislative Branch Appropriations Act, 2010 (division A of Public Law 111–68).

(10) The Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010 (division A of Public Law 111–117).

(11) The Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2010 (division E of Public Law 111–117).

(12) The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117).

(13) Section 102(c) (except the last proviso relating to waiver of fees) of chapter 1 of title I of the Supplemental Appropriations Act, 2010 (Public Law 111–212) that addresses guaranteed loans in the rural housing insurance fund.

(14) The appropriation under the heading “Department of Commerce—United States Patent and Trademark Office” in the United States Patent and Trademark Office Supplemental Appropriations Act, 2010 (Public Law 111–224).

(b) For purposes of this division, the term “level” means an amount.

(c)(1) Except as provided in paragraphs (2) and (3), the level referred to in subsection (a) shall be, with respect to the amounts appropriated in the appropriations Acts referred to in the following paragraphs of such subsection, including transfers and obligation limitations, equal to the following percentage of such amounts:

(A) In paragraph (1), 69.18 percent.

(B) In paragraphs (2) and (14), 79.77 percent.

(C) In paragraph (3), 101.30 percent.

(D) In paragraph (4), 89 percent.

(E) In paragraph (5), 81.25 percent.

(F) In paragraph (6), 95.26 percent.

(G) In paragraph (7), 80.94 percent.

(H) In paragraph (8), 82.66 percent.

(I) In paragraph (9), 93.69 percent.

(J) In paragraphs (10) and (13), 71.4 percent.

(K) In paragraph (11)—

(i) 100 percent, with respect to amounts made available for the Veterans Benefits Administration and the Veterans Health Administration; and

(ii) 96.19 percent, with respect to all other amounts.

(L) In paragraph (12)—

(i) 100 percent, with respect to amounts made available for Israel; and

(ii) 88.08 percent, with respect to all other amounts.

(2) Such level shall not include any amount previously designated as an emergency requirement and necessary to meet emergency needs pursuant to sections 403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(3) Such level shall be calculated without regard to any rescission or cancellation of funds or contract authority.

SEC. 102. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 103. Appropriations provided by this division that, in the applicable appropriations Act for fiscal year 2010, carried a multiple-year or no-year period of availability shall retain a comparable period of availability.

SEC. 104. Except as otherwise expressly provided in this division, the requirements, authorities, conditions, limitations, and other provisions of the appropriations Acts referred to in section 101(a) shall continue in effect through the date specified in section 106.

SEC. 105. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were

specifically prohibited during fiscal year 2010.

SEC. 106. Unless otherwise provided for in this division or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this division shall be available through September 30, 2011.

SEC. 107. Expenditures made pursuant to the Continuing Appropriations Act, 2011 (Public Law 111-242), shall be charged to the applicable appropriation, fund, or authorization provided by this division.

SEC. 108. Funds appropriated by this division may be obligated and expended notwithstanding section 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 109. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2010, and for activities under the Food and Nutrition Act of 2008, the levels established by section 101 shall be the amounts necessary to maintain program levels under current law and under the authority and conditions provided in the applicable appropriations Acts for fiscal year 2010.

(b) In addition to the amounts otherwise provided by section 101, the following amounts shall be available for the following accounts for advance payments for the first quarter of fiscal year 2012:

(1) “Department of Labor, Employment Standards Administration, Special Benefits for Disabled Coal Miners”, for benefit payments under title IV of the Federal Mine Safety and Health Act of 1977, \$41,000,000, to remain available until expended.

(2) “Department of Health and Human Services, Centers for Medicare and Medicaid Services, Grants to States for Medicaid”, for payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act, \$86,445,289,000, to remain available until expended.

(3) “Department of Health and Human Services, Administration for Children and Families, Payments to States for Child Support Enforcement and Family Support Programs”, for payments to States or other non-Federal entities under titles I, IV-D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), \$1,200,000,000, to remain available until expended.

(4) “Department of Health and Human Services, Administration for Children and Families, Payments to States for Foster Care and Permanency”, for payments to States or other non-Federal entities under title IV-E of the Social Security Act, \$1,850,000,000.

(5) “Social Security Administration, Supplemental Security Income Program”, for benefit payments under title XVI of the Social Security Act, \$13,400,000,000, to remain available until expended.

SEC. 110. Amounts incorporated by reference in this division that were previously designated as available for overseas deployments and other activities pursuant to S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, are designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress).

SEC. 111. Any language specifying an earmark in an appropriations Act for fiscal year 2010, or in a committee report or joint ex-

planatory statement accompanying such an Act, shall have no legal effect with respect to funds appropriated by this division. For purposes of this section, the term “earmark” means a congressional earmark or congressionally directed spending item, as defined in clause 9(e) of rule XXI of the Rules of the House of Representatives and paragraph 5(a) of rule XLIV of the Standing Rules of the Senate.

SEC. 112. Notwithstanding section 101, none of the funds appropriated or otherwise made available in this division or any other Act (including division A of this Act) may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 113. (a)(1) Notwithstanding section 101, except as provided in paragraph (2), none of the funds appropriated or otherwise made available in this division or any other Act (including division A of this Act) may be used to transfer any individual detained at Guantanamo to the custody or effective control of the individual’s country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress the certification described in subsection (b) by not later than 30 days before the transfer of the individual.

(2) Paragraph (1) shall not apply to any action taken by the Secretary of Defense to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction. The Secretary of Defense shall notify Congress promptly upon issuance of any such order.

(b) The certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State, that the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(1) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(2) maintains effective control over each detention facility in which an individual is to be detained if the individual is to be housed in a detention facility;

(3) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(4) has agreed to take effective steps to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(5) has taken such steps as the Secretary determines are necessary to ensure that the individual cannot engage or re-engage in any terrorist activity; and

(6) has agreed to share any information with the United States that—

(A) is related to the individual or any associates of the individual; and

(B) could affect the security of the United States, its citizens, or its allies.

(c)(1) Except as provided in paragraph (3), none of the funds appropriated or otherwise made available in this division or any other Act (including division A of this Act) may be used to transfer any individual detained at Guantanamo to the custody or effective control of the individual’s country of origin, any

other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to the foreign country or entity and subsequently engaged in any terrorist activity.

(2) The Secretary of Defense may waive the prohibition in paragraph (1) if the Secretary determines that such a transfer is in the national security interests of the United States and includes, as part of the certification described in subsection (b) relating to such transfer, the determination of the Secretary under this paragraph.

(3) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction. The Secretary shall notify Congress promptly upon issuance of any such order.

(d) For the purposes of this section:

(1) The term “individual detained at Guantanamo” means any individual who is located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the effective control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(2) The term “foreign terrorist organization” means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 114. (a) Notwithstanding section 101, none of the funds appropriated or otherwise made available by this division or any other Act (including division A of this Act) may be used to construct or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 115. None of the funds appropriated or otherwise made available by this division or any other Act (including division A of this Act) may be obligated by any covered executive agency in contravention of the certification requirement of section 6(b) of the Iran Sanctions Act of 1996, as included in the revisions to the Federal Acquisition Regulation pursuant to such section.

SEC. 116. Section 550(b) of Public Law 109-295, as amended by section 550 of Public Law 111-83, shall be applied by substituting the date specified in section 106 of this division for “October 4, 2010”.

SEC. 117. Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)) shall be

applied by substituting the date specified in section 106 of this division for "September 30, 2010".

SEC. 118. (a) Section 1115(d) of Public Law 111-32 shall be applied by substituting the date specified in section 106 of this division for "October 1, 2010".

(b) Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) shall be applied by substituting the date specified in section 106 of this division for "October 1, 2010" in paragraph (2).

(c) Section 61(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2733(a)) shall be applied by substituting the date specified in section 106 of this division for "October 1, 2010" in paragraph (2).

(d) Section 625(j)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by substituting the date specified in section 106 of this division for "October 1, 2010" in subparagraph (B).

SEC. 119. The authority provided by section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) shall remain in effect through the date specified in section 106 of this division.

SEC. 120. The provisions of title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11311 et seq.) shall continue in effect, notwithstanding section 209 of such Act, through the earlier of: (1) the date specified in section 106 of this division; or (2) the date of the enactment into law of an authorization Act relating to the McKinney-Vento Homeless Assistance Act.

DIVISION B—STIMULUS RESCISSIONS

SEC. 201. (a) There are hereby rescinded all unobligated balances remaining available as of February 11, 2011, of the discretionary appropriations provided by division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

(b) Subsection (a) shall not apply to funds appropriated or otherwise made available to Offices of Inspector General and the Recovery Act Accountability and Transparency Board by division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

SEC. 202. Hereafter, no Federal agency administering funds provided by division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) may provide funding or reimbursement to any entity awarded funds from such Act for the cost associated with physical signage or other advertisement indicating that a project is funded by such Act.

DIVISION C—MISCELLANEOUS PROVISIONS

SPENDING REDUCTION ACCOUNT

SEC. 4001. [Here insert the text of section 4001 in the pending text, as perfected, such that the matter proposed to be inserted under the heading SPENDING REDUCTION ACCOUNT is identical to the matter proposed to be stricken under that heading.]

This Act may be cited as the "Full-Year Continuing Appropriations Act, 2011".

The Acting CHAIR. Pursuant to the order of the House of February 17, 2011, the gentleman from Ohio (Mr. LATOURETTE) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. LATOURETTE. I thank the Chair very much.

We have agreed informally that we are going to reduce the time on this to 20 minutes, 10 minutes per side, and I will move expeditiously through it.

There was a little issue with the drafting that will be addressed later in the debate, and I may have a motion at the end of my discussion.

I am honored to be joined in this amendment by Mr. GIBSON and Mr. DENT.

I hate across-the-board cuts. I really don't support across-the-board cuts; but I've got to tell you that this CR, as it currently stands, is the byproduct of the fact that we didn't get any appropriations bills done last year and that we have a deadline of March 4. I don't think the chairman of the full committee likes very much the CR that we are considering. If he did, he wouldn't have been required to write it three times in order to get the bill to the floor.

As for the salient points, the substitute that we are presenting tonight is a deeper cut than the base bill. The base bill is advertised as saving, I believe, \$106 billion. This amendment cuts \$120 billion. It adopts numbers on Defense, MILCON, Homeland, Israel, Gitmo; the earmarks are gone; the stimulus money is back.

To my Republican friends, I would say that, if this debate is really about the number, this is a bigger number, \$120 billion, as opposed to \$100 billion. If it's about social engineering, then you'll vote "no" on this particular amendment.

To my Democratic friends, I say we just can't give speeches about, well, we would like to cut stuff, but we just want to cut this stuff, and we don't want to cut that stuff.

The President's vision of a freeze was a bold strategy in 1995 when I got here. It's a failed strategy in 2011. This particular substitute restores NEA, CPB, Food for Peace, CDBG, but with shared, across-the-board sacrifice. I would ask our Members to consider it.

I reserve the balance of my time.

Mr. DICKS. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 15 minutes.

Mr. DICKS. Mr. Chairman, it really pains me to not be able to help my friend from Ohio, who is a valued member of the Appropriations Committee, who was an outstanding member of the Interior Subcommittee when I was chairman, and who I enjoy working with very much.

The LaTourette amendment would cut from the FY10 levels: 31 percent from Agriculture; 20 percent from CJS; 11 percent from Energy and Water; 19 percent from Financial Services; 5 percent from Homeland Security; 19 percent from Interior; 17 percent from Labor-HHS; 6 percent from the Legislative Branch; 12 percent from State, Foreign Operations; and 30 percent from Transportation.

Unfortunately, in addition, the amendment fails to incorporate for Afghanistan and Iraq operations provided by section 101(8) of the first continuing resolution. Omitting this provision effectively cuts Department of Defense contingency funding by nearly \$30 billion. As a result, the amendment vastly underfunds DOD requirements for fiscal year 2011. It would preclude effective conduct of operations and put deployed troops at risk.

The amendment would also harm job growth.

For example, in the Transportation, Housing and Urban Development Subcommittee, the LaTourette amendment would cut nearly 30 percent, or more than \$20 billion, from programs and activities under the subcommittee's jurisdiction. This would lead to a part-time air traffic control system by cutting over \$2.8 billion from the FAA operations; cause severe reductions in service and work layoffs for Amtrak; and finally, this amendment would provide fewer resources for transportation safety overnight.

The amendment also leads to the loss of 650,000 vouchers for low-income families, and it cuts nearly \$500 million from homeless assistance programs. In addition, it would threaten the ongoing recovery of the housing market by grossly underfunding the resource needs of the Federal Housing Administration.

The LaTourette amendment would also affect our domestic security by requiring the Department of Homeland Security to lay off crucial staff we have hired over the past 2 years, which includes Border Patrol agents, CBP officers at the ports of entry, ICE investigators along the Southwest border, and Secret Service agents to respond to the heightened threats against the President.

Finally, like other amendments that have already been rejected by this body, the LaTourette amendment puts OMB in charge, concedes the congressional authority on an across-the-board basis, and also takes out all the money in the CR for anomalies.

I urge all Members to reject the LaTourette amendment.

I reserve the balance of my time.

Mr. LATOURETTE. I thank the distinguished ranking member for the kind words. I think your speech has gotten me votes from progressives and conservatives in the same speech, so I appreciate that very much.

I now yield 2 minutes to one of my partners in crime here, a new Member of the House, the gentleman from New York (Mr. GIBSON).

Mr. GIBSON. I thank the gentleman for yielding.

This is about jobs, fiscal responsibility and about doing what is right. A \$1.65 trillion deficit. An over \$14 trillion debt. We are on the path to bankruptcy, and we have got to change course.

Now, as someone who until last year was protecting our cherished way of life by serving in the United States Army, I've got to tell you that I don't see this as a partisan issue. Both parties got us into this mess, and we're going to need leadership now to get out. This has become the generational issue of our time, and we need to begin to move towards a balanced budget and fiscal responsibility, and everything needs to be on the table.

My family took the first cut. To lead by example, we're giving back to the U.S. Treasury my pension—that I earned.

This substitute amendment was intended to be a nonpartisan approach to an American issue: cuts across the board; Democratic and Republican priorities treated the same in this CR; rolling back to 2008 levels rather than eliminating programs outright in the CR. There will be time for those kinds of investigations later on in the budget process and in committees where programs can be singled out for deeper potential cuts and long-term structural changes.

As has been pointed out, in the process of writing this, there were some technical issues with it that we regret; but the point of this substitute amendment remains the same, that this is an American issue. We both have to come together to solve this. We're going to have to get our fiscal house in order, and to do that, many steps are going to be necessary, and among them is rolling back spending.

Americans today are wondering whether or not we're going to do the right thing and whether or not we're going to cut that spending and whether or not our best days are in front of us. That choice is up to us—and we will get it right.

Mr. DICKS. I yield 4 minutes to the distinguished chairman of the House Appropriations Committee, the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. I thank the gentleman for yielding.

Mr. Chairman, I rise in strong opposition to this amendment. It really is a substitute amendment, and it's an across-the-board cut. This body has

spent many late nights all this week debating a yearlong CR which makes targeted spending decisions and weighs the pros and cons of each and every program in the Federal Government, and I think the House has done itself proud this week in that work.

Under an open process, each Member has had the ability to weigh in and make their imprints on the bill through the consideration of literally hundreds of amendments—the embodiment of the democratic ideal. Adoption of this substitute proposal, however, would wipe out everything we've done this whole week. Every amendment adopted would be gone. Every calculated decision would be forgotten. Rather, the amendment would replace our hard-fought spending decisions by taking the easy way out, by making no real decisions at all, by punting the ball to OMB and the bureaucrats instead of making the decisions our electorate elected us to make.

□ 0330

The across-the-board nature of the amendment's cuts provides no opportunity for discretion. It punishes or rewards without regard to merit. For example, under this amendment, the FBI's operations would be cut by \$1.5 billion. A reduction of that magnitude would result in the layoff of thousands of agents, undermining our ability to prevent terrorist attacks and to investigate the most serious Federal crimes.

The amendment fails to include the \$33 billion in DOD emergency funding for troops overseas, which was passed separately last year. The Department of Homeland Security would be cut an additional \$1 billion below H.R. 1, forcing the reduction of Border Patrol agents, ICE agents and active duty Coast Guard personnel.

While activities important to our national security would be unduly cut, other wasteful programs, as well as programs that put a regulatory stranglehold on our economy, are rewarded simply because they exist:

The Census Bureau would continue to receive funding at the decennial FY10 level even though its needs are significantly reduced in FY11, giving the Census Bureau a \$4.5 billion slush fund and no reason for having it.

While H.R. 1 cuts \$3 billion from the EPA and specifically targets that agency's climate change program funds, this amendment would provide the EPA with ample funding to continue in their anti-business regulatory regime.

While some may feel that proportionately distributing cuts will proportionately distribute the sacrifices, they couldn't be more wrong. Instead, the amendment writes a check, and let's the administration fund their priorities while the Congress sits on the sidelines, leaving the American people saddled with the results.

Congress has a responsibility to make tough choices and to provide the oversight of each department and of each program through the power of the

purse. The amendment before us abdicates that responsibility.

I urge my colleagues to reject the amendment.

Mr. LATOURETTE. I thank the distinguished chairman for his remarks, and I congratulate him on his hard work this week.

However, I would note that this amendment was in order during the reading of the table of contents, and as a courtesy to the committee, we didn't offer it then. We all could have been home on Tuesday at about 2 o'clock in the afternoon.

It is now my pleasure to yield 1 minute to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. I want to commend Mr. LATOURETTE and Mr. GIBSON on their efforts in drafting this amendment.

Notwithstanding any technical drafting errors that may affect \$30 billion, I think it is important that we have this discussion.

The intent of this amendment is to help restore funding to programs that have been zeroed out and to then better balance these cuts. Ordinarily, I would agree with the chairman and Mr. LATOURETTE that we would not want to engage in across-the-board cuts; but given where we are in this fiscal year 2011 process, I think we should embrace this policy, better balance these cuts in a way that I think is a bit more equitable, use the fiscal year 2012 appropriations process for oversight to make further revisions, then discuss zeroing out or, in a more discriminating manner, deal with those programs that should be cut even more substantially.

This amendment will help restore programs like LIHEAP, CSBG, CDBG, which are programs that have been substantially reduced, and others that have been zeroed out. So that is why I believe it is important that we adopt this amendment.

Again, I commend Mr. LATOURETTE and Mr. GIBSON for their efforts.

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

Mr. LATOURETTE. It is now my pleasure to yield 1 minute to a new Member of the House, the gentleman from Illinois (Mr. DOLD).

Mr. DOLD. I want to thank Mr. LATOURETTE for his work. I also want to thank the chairman in the appropriations process and also the leadership for being able to come out and really have an open discussion about what's going on.

The spirit of the amendment wasn't to necessarily pick winners and losers or to zero out programs; and as much as I do not like the idea of across-the-board cuts, I do think that the American public right now is thinking, "How can we tighten our belts?"

The American people have tightened their belts. American businesses have tightened their belts. The Federal Government should be no different. Everything has to be on the table. The Department of Defense has to be on the table. We have to rein that in. We have

to rein in every single department, and we know we have to do it without putting people in harm's way.

This technical problem that has just surfaced in the amendment is certainly going to be problematic, but the spirit, the intent, of this amendment was to make sure that we are preserving some of what, I think, many on the other side would consider to be very important programs and what many of the independents in our Nation would consider to be appropriate programs—and important to them.

We want to let the 2012 appropriations process go through the appropriate channels, and we want to make sure we make our cuts at that point in time, so I would just urge my colleagues to keep that in mind as we move forward.

Mr. DICKS. I continue to reserve the balance of my time.

Mr. LATOURETTE. Mr. Chairman, it is now my pleasure to yield 1 minute to another fine Member, the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding.

Mr. Chairman, we are now 6 months into our fiscal year, and we have not been able to pass a dozen or more individual appropriations bills within that time. We inherited a spending regime, but we have a mandate from the American people to cut spending. We must do it equitably, fairly and quickly; and I think that Mr. LATOURETTE has come up with an amendment which has a really fair way of doing this:

Don't zero out programs without hearings. Don't pick winners and losers. Don't do this without having the proper hearings and oversight. By reducing our discretionary programs at the same rate across the board, we don't risk alienating future priorities or vulnerable constituencies that may receive funding which is at risk of being terminated.

The chairman of Appropriations and this whole body have done a great job in looking at all of this, and I think we will come out with something that we will all be very proud of. The LaTourette amendment offers another way to do just that.

Mr. DICKS. I continue to reserve the balance of my time.

Mr. LATOURETTE. May I inquire as to how much time I have left, Mr. Chairman?

The Acting CHAIR. Both the gentleman from Ohio and the gentleman from Washington have 8 minutes remaining.

Mr. LATOURETTE. Which is really 3 minutes remaining. So, if it's all right, I would like to yield 1 minute, and then I will notify the distinguished ranking member that I will take the last 2 minutes and close.

I yield 1 minute to the gentleman from New Hampshire (Mr. BASS), the oldest returning freshman—a freshman in 1995 and again in 2011.

Mr. BASS of New Hampshire. I thank my colleague from Ohio for such a wonderful introduction.

I want to thank the chairman of the Appropriations Committee and the members of the committee for all their hard work.

Cutting programs to zero in the middle of a fiscal year may be good legislative policy, but it isn't really all that practical. We need to address the future size and scope of government in the normal, regular order of the appropriations process. The LaTourette amendment makes us meet our spending reduction goals, but does it in a way that is simple and is fair and is effective and is practical.

I support the LaTourette amendment because I think it is "the" vehicle that will actually do what we want to do, which is to cut spending now and then get on with the regular appropriations process, in which we can give these agencies the kind of oversight they need so that we will make the right decisions.

So I urge the support and adoption of the LaTourette amendment.

Mr. LATOURETTE. I would notify the distinguished ranking member that I'm the last speaker, and I'm going to consume our last 2 minutes—so have at it.

I reserve the balance of my time.

Mr. DICKS. I yield 2 minutes to the gentleman from California (Mr. LEWIS).

□ 0340

Mr. LEWIS of California. Mr. Chairman, I very much appreciate my colleague for yielding me this time.

It has been suggested by more than one person, not just today but also a moment ago, that we are headed towards a cliff in terms of our financial circumstances. It could take our country to bankruptcy and create a circumstance from which we would, perhaps, never come back.

To suggest that this substitute makes sense really baffles me. I've been told by the Speaker that the gentleman from Ohio is a very thoughtful Member and will contribute a great deal to our committee, which he has and is; but across-the-board cutting in an effort to make sense out of our spending process makes no sense at all. We are elected to look at the whole mix and to pick winners and losers, to decide what programs should be cut significantly, and to decide which ones should be eliminated. Indeed, that is part of our work.

In this substitute, essentially we are taking all the work we've done these last several days and kicking it out the door. These efforts on the amendments were not worth any time at all. We shouldn't have been here these last several days. If this amendment is successful, there is just one thing that it does that is bothersome to me but which illustrates the point:

This amendment would provide \$1 billion below our CR in terms of Homeland Security. That is 2.6 percent lower in funding for those people who are protecting the border. To suggest by way of this substitute that we can

eliminate 1,000 of those people who are on the border is ludicrous in my judgment.

Indeed, it is our responsibility to select winners and losers, and this substitute is a waste of our time if we are serious about changing the direction of our country. So I would strongly oppose this substitute.

Mr. LATOURETTE. Mr. Chairman, I have 2 minutes remaining; is that right?

The Acting CHAIR. The gentleman from Ohio has 7 minutes remaining.

Mr. LATOURETTE. Well, I've got 2 minutes, so I'm going to yield myself the balance of my time.

I certainly don't wish to waste anybody's time, but I've sat through a lot of interesting debate over the last 3 or 4 days, and my time has been wasted plenty with silly things like not wanting to pay for the repairs at the White House, but we went through that exercise today.

This was a serious attempt to talk about shared sacrifice and the belief that, in some parts of the country, some programs are more popular than others. So our belief was, if we're going to have shared sacrifice, everybody should be in the game. We shouldn't pick programs the Republicans like and keep them and pick programs that Democrats like and be done with them.

Now, I do want to take one second to talk about this defense number—because I drafted this thing. I'm not the sharpest knife in the drawer, but I've got to tell you that it was never our intent to not carry over the emergency supplemental. The information that we had is that the language included in the substitute did, in fact, by indicating that we were not dealing with emergency spending and referencing section 423 of the supplemental, accomplish that purpose. I'm told by much brighter people than I that we didn't do that, so I apologize for that drafting error.

Having said that, let me tell you, I'm not going to apologize for taking 20 minutes out of 80 hours—or whatever we had here—to talk about the vision of some people on our side who don't think this bill represents shared sacrifice.

In Cleveland, Ohio, people listen to the radio, and some of them like to listen to NPR. We don't think that that should be zeroed out. In Cleveland, Ohio, some people value the arts, and we don't think that there should be a tremendous cut to the National Endowment for the Arts. In Cleveland, Ohio, we build our communities with the Community Development Block Grant, and we don't think it should get a 66 percent cut. As Americans, we happen to value the Food for Peace program, which not only feeds hungry people all across the world, but is really the last bastion, if we're going to talk about jobs around here, the merchant mariner, it's one of that merchant mariner's lifelines for employment.

So I don't make any apologies for taking 20 minutes out of your busy

lives to talk about this vision and why some of us wish that both sides would get together, not have the sacred cows that keep us from reaching a conclusion on this thing, and work this thing out.

I guess I'm apologizing for being the last person; but in light of the defense number, I don't want to put my young lambs at risk of some stupid political ad that says they sponsored something that cut \$33 billion from the Defense Department of this great country.

Therefore, Mr. Chairman, I ask unanimous consent that I be permitted to withdraw the amendment.

Mr. PETRI. Mr. Chair, I support the amendment offered by my colleague from Ohio, Representative LATOURETTE.

I do believe the time has come for Congress to address a federal deficit that will exceed \$1 trillion for the third consecutive year.

I do agree that the total dollar amount cut by the underlying bill is appropriate and represents a move toward fiscal responsibility.

The amendment under consideration shows the same commitment to fiscal responsibility; in fact, it cuts more spending than the underlying bill.

Beyond that, the amendment spreads the spending cuts across all non-security federal programs for the remainder of 2011.

No programs are eliminated, and with limited exceptions, no non-security spending is left untouched.

Meeting our financial crisis will entail sacrifice from many quarters, and this amendment shares that sacrifice broadly across our entire discretionary spending budget.

Beyond this year, an across-the-board cut provides a better point of departure for the 2012 appropriations process which will begin shortly.

I urge my colleagues to vote in support of this amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in the CONGRESSIONAL RECORD on which further proceedings were postponed, in the following order:

Amendment No. 273 by Mr. KING of Iowa.

Amendment No. 154 by Mr. BURGESS of Texas.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 273 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) 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 vote was taken by electronic device, and there were—ayes 189, noes 233, not voting 11, as follows:

[Roll No. 144]

AYES—189

Adams
Aderholt
Akin
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)

Ackerman
Alexander
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capito
Capps
Capuano
Cardoza

Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
King (IA)
Kingston
Kline
Labrador
Lamborn
Landry
Lankford
Latham
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCauley
McClintock
McHenry
McKeon
McMorris
Rogers
Mica

NOES—233

Miller (FL)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ross (FL)
Royce
Schalise
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Southernland
Stearns
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tipton
Walberg
Webster
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

Markey
Matheson
Matsui
McCarthy (NY)
McCotter
McDermott
McGovern
McIntyre
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murray (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peterson
Petri
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Richmond
Rivera
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)

NOT VOTING—11

Costello
Giffords
Harman
Hinojosa
McCullum
Paul
Peters
Quayle
Smith (TX)
Stark
Wilson (FL)

□ 0406

Mr. CARSON of Indiana changed his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 154 OFFERED BY MR. BURGESS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. BURGESS) 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 Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 187, not voting 11, as follows:

Ryan (WI)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Weiner
Welch
Whitfield
Woolsey
Wu
Yarmuth
Young (AK)

[Roll No. 145]

AYES—235

Adams	Gohmert	Noem
Aderholt	Goodlatte	Nugent
Akin	Gosar	Nunes
Alexander	Gowdy	Nunnelee
Amash	Granger	Olson
Austria	Graves (GA)	Palazzo
Bachmann	Graves (MO)	Paulsen
Bachus	Griffin (AR)	Pearce
Barletta	Griffith (VA)	Pence
Bartlett	Grimm	Petri
Barton (TX)	Guinta	Pitts
Bass (NH)	Guthrie	Platts
Benishek	Hall	Poe (TX)
Berg	Hanna	Pompeo
Biggert	Harper	Posey
Billray	Harris	Price (GA)
Billirakis	Hartzler	Reed
Bishop (UT)	Hastings (WA)	Rehberg
Black	Hayworth	Reichert
Blackburn	Heck	Renacci
Bonner	Heller	Ribble
Bono Mack	Hensarling	Rigell
Boustany	Herger	Rivera
Brady (TX)	Herrera Beutler	Roby
Brooks	Huelskamp	Roe (TN)
Brown (GA)	Huizenga (MI)	Rogers (AL)
Buchanan	Hultgren	Rogers (KY)
Bucshon	Hunter	Rogers (MI)
Buerkle	Hurt	Rohrabacher
Burgess	Issa	Rokita
Burton (IN)	Jenkins	Rooney
Calvert	Johnson (IL)	Ros-Lehtinen
Camp	Johnson (OH)	Roskam
Canseco	Johnson, Sam	Ross (FL)
Cantor	Jones	Royce
Capito	Jordan	Runyan
Carter	Kelly	Ryan (WI)
Cassidy	King (IA)	Scalise
Chabot	King (NY)	Schilling
Chaffetz	Kingston	Schmidt
Coble	Kinzinger (IL)	Schock
Coffman (CO)	Kline	Schweikert
Cole	Labrador	Scott (SC)
Conaway	Lamborn	Scott, Austin
Cravaack	Lance	Sensenbrenner
Crawford	Landry	Sessions
Crenshaw	Lankford	Shimkus
Culberson	Latham	Shuster
Davis (KY)	LaTourette	Simpson
Denham	Latta	Smith (NE)
Dent	Lewis (CA)	Smith (NJ)
DesJarlais	LoBiondo	Southerland
Diaz-Balart	Long	Stearns
Dold	Lucas	Stivers
Dreier	Luetkemeyer	Stutzman
Duffy	Lummis	Sullivan
Duncan (SC)	Lungren, Daniel	Terry
Duncan (TN)	E.	Thompson (PA)
Ellmers	Mack	Thornberry
Emerson	Manzullo	Tiberi
Farenthold	Marchant	Tipton
Fincher	Marino	Turner
Fitzpatrick	McCarthy (CA)	Upton
Flake	McCaul	Walberg
Fleischmann	McCotter	Walden
Fleming	McHenry	Walsh (IL)
Flores	McKeon	Webster
Forbes	McKinley	West
Fortenberry	McMorris	Westmoreland
Fox	Rodgers	Whitfield
Franks (AZ)	Meehan	Wilson (SC)
Frelinghuysen	Mica	Wittman
Gallely	Miller (FL)	Wolf
Gardner	Miller (MI)	Womack
Garrett	Miller, Gary	Woodall
Gerlach	Mulvaney	Yoder
Gibbs	Murphy (PA)	Young (AK)
Gibson	Myrick	Young (FL)
Gingrey (GA)	Neugebauer	Young (IN)

NOES—187

Ackerman	Brady (PA)	Clarke (MI)
Altmire	Braley (IA)	Clarke (NY)
Andrews	Brown (FL)	Clay
Baca	Butterfield	Cleaver
Baldwin	Campbell	Clyburn
Barrow	Capps	Cohen
Bass (CA)	Capuano	Connolly (VA)
Becerra	Cardoza	Conyers
Berkley	Carnahan	Cooper
Berman	Carney	Costa
Bishop (GA)	Carson (IN)	Courtney
Bishop (NY)	Castor (FL)	Critz
Blumenauer	Chandler	Crowley
Boren	Chu	Cuellar
Boswell	Ciilline	Cummings

Davis (CA)	Kucinich	Richardson
Davis (IL)	Langevin	Richmond
DeFazio	Larsen (WA)	Ross (AR)
DeGette	Larson (CT)	Rothman (NJ)
DeLauro	Lee (CA)	Roybal-Allard
Deutch	Levin	Ruppersberger
Dicks	Lewis (GA)	Rush
Dingell	Lipinski	Ryan (OH)
Doggett	Loebsack	Sanchez, Linda
Donnelly (IN)	Lofgren, Zoe	T.
Doyle	Lowey	Sanchez, Loretta
Edwards	Lujan	Sarbanes
Ellison	Lynch	Schakowsky
Engel	Maloney	Schiff
Eshoo	Markey	Schrader
Farr	Matheson	Schwartz
Fattah	Matsui	Scott (VA)
Finler	McCarthy (NY)	Scott, David
Frank (MA)	McClintock	Serrano
Fudge	McDermott	Sewell
Garamendi	McGovern	Sherman
Gonzalez	McIntyre	Shuler
Green, Al	McNerney	Sires
Green, Gene	Meeks	Slaughter
Grijalva	Michaud	Smith (WA)
Gutierrez	Miller (NC)	Speier
Hanabusa	Miller, George	Sutton
Hastings (FL)	Moore	Thompson (CA)
Heinrich	Moran	Thompson (MS)
Higgins	Murphy (CT)	Tierney
Himes	Nadler	Tonko
Hinchev	Napolitano	Towns
Hirono	Neal	Tsongas
Holden	Oliver	Van Hollen
Holt	Owens	Velázquez
Honda	Pallone	Visclosky
Hoyer	Pascrell	Walz (MN)
Inslie	Pastor (AZ)	Wasserman
Israel	Payne	Schultz
Jackson (IL)	Pelosi	Waters
Jackson Lee	Perlmutter	Watt
(TX)	Peterson	Waxman
Johnson (GA)	Pingree (ME)	Weiner
Johnson, E. B.	Polis	Welch
Kaptur	Price (NC)	Woolsey
Keating	Quigley	Wu
Kildee	Rahall	Yarmuth
Kind	Rangel	
Kissell	Reyes	

NOT VOTING—11

Costello	McCollum	Smith (TX)
Giffords	Paul	Stark
Harman	Peters	Wilson (FL)
Hinojosa	Quayle	

□ 0409

So the amendment was agreed to.
The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. SMITH of Texas. Mr. Chair, on rollcall No. 144 and 145, I was unfortunately detained. Had I been present, I would have voted "yes" on both.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the "Full-Year Continuing Appropriations Act, 2011".

Mr. ROGERS of Kentucky. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. CAPITO) having assumed the chair, Mr. THORNBERRY, 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. 1) making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other pur-

poses, and, pursuant to House Resolution 92, reported the bill back to the House with sundry amendments 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 reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were 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. HEINRICH. Madam Speaker, I have a motion to recommit at the desk.

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

Mr. HEINRICH. I am opposed in its current form.

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

The Clerk read as follows:

Mr. Heinrich moves to recommit H.R. 1 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

At the end of title VIII of division B, insert the following:

SEC. _____. The amounts otherwise provided by this Act are revised by reducing the amount made available for "Department of Education, Departmental Management, Program Administration", and increasing the amount made available for "Department of Education, Student Financial Assistance" (and the amount made available under such heading for subpart 1 of part A of title IV of the Higher Education Act of 1965), by \$39,000,000.

Mr. ROGERS of Kentucky. Madam Speaker, I reserve a point of order on the gentleman's motion.

The SPEAKER pro tempore. The point of order is reserved.

The gentleman from New Mexico is recognized for 5 minutes.

Mr. HEINRICH. Madam Speaker, Americans need jobs.

Up until now, Republicans have ignored this problem, and now they're making it worse. Our Nation's large and unsustainable budget deficit is staring us in the face, but it is at critical moments like this when we must approach our Nation's greatest challenges with responsibility and prudence. The approach we take must focus on responsible cuts, which will have a lasting impact on the deficit, not arbitrary short-term cuts to programs that are needed to prepare the next generation of American workers and taxpayers.

Consider the effects of the bill before us on Specialist John Carabillo from my home State of New Mexico. Specialist Carabillo served in the Army for 6 years, and he was deployed to Iraq twice during his service. He then enlisted with the National Guard, and served an additional tour in Iraq.

After returning to New Mexico, Specialist Carabillo decided he wanted to go back to school and earn his degree in IT. The Pell Grant scholarships and GI benefits Specialist Carabillo receives have allowed him to enroll in an associate's program at a vocational school. When he graduates, he hopes to find an IT job at Kirtland Air Force Base.

The Republican bill would cut Specialist Carabillo's Pell Grant scholarship. This cut in his financial aid means that he will have to take fewer courses this year and graduate later, try to take a loan he can't afford or drop out of school.

Specialist Carabillo is not alone.

If students who rely on college aid from the Pell Grant program drop out of school, America runs the risk of dropping out of first place in the world economy.

This motion to recommit would be a downpayment to restore Specialist Carabillo's future. Simply put, this motion to recommit would transfer funds from the Department of Education administration to fund Pell Grant scholarships at the current level.

My amendment to restore these scholarships won't add a penny to the deficit. In fact, this MTR is paid for by cutting salaries and expenses at the Department of Education, which takes it back to fiscal year 2008 levels.

So this motion to recommit calls on the House to make a choice. Do we want responsible, measured spending cuts or reckless ones? Do we want cuts to come at the expense of middle class America or corporate special interests? Do we want a weaker America that cuts education or a stronger America that competes and wins in the global economy? Whose side are we on?

We say: We're on the side of American jobs. We're on the side of American education. We're on the side of working families and their sons and daughters.

I urge my colleagues to vote "yes" on this motion to recommit.

I yield back the balance of my time. Mr. ROGERS of Kentucky. Madam Speaker, it is time to vote.

The SPEAKER pro tempore. Does the gentleman withdraw his reservation of the point of order?

Mr. ROGERS of Kentucky. I withdraw my reservation.

The SPEAKER pro tempore. Does any Member rise in opposition to the motion?

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.

RECORDED VOTE

Mr. HEINRICH. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair

will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 186, noes 238, not voting 9, as follows:

[Roll No. 146]

AYES—186

Ackerman	Frank (MA)	Olver
Altmire	Fudge	Owens
Andrews	Garamendi	Pallone
Baca	Gonzalez	Pascarell
Baldwin	Green, Al	Pastor (AZ)
Barrow	Green, Gene	Payne
Bass (CA)	Grijalva	Pelosi
Becerra	Gutierrez	Perlmutter
Berkley	Hanabusa	Peterson
Berman	Hastings (FL)	Pingree (ME)
Bishop (GA)	Heinrich	Polis
Bishop (NY)	Higgins	Price (NC)
Blumenauer	Himes	Quigley
Boren	Hinchev	Rahall
Boswell	Hirono	Rangel
Brady (PA)	Holden	Reyes
Braley (IA)	Holt	Richardson
Brown (FL)	Honda	Richmond
Butterfield	Hoyer	Ross (AR)
Capps	Inslee	Rothman (NJ)
Capuano	Israel	Roybal-Allard
Cardoza	Jackson (IL)	Ruppersberger
Carmahan	Jackson Lee	Rush
Carney	(TX)	Ryan (OH)
Carson (IN)	Johnson (GA)	Sanchez, Linda
Castor (FL)	Johnson, E. B.	T.
Chandler	Kaptur	Sanchez, Loretta
Chu	Keating	Sarbanes
Cicilline	Kildee	Schakowsky
Clarke (MI)	Kind	Schiff
Clarke (NY)	Kissell	Schrader
Clay	Kucinich	Schwartz
Cleaver	Langevin	Scott (VA)
Clyburn	Larsen (WA)	Scott, David
Cohen	Larson (CT)	Serrano
Connolly (VA)	Lee (CA)	Sewell
Conyers	Levin	Sherman
Cooper	Lewis (GA)	Shuler
Costa	Lipinski	Sires
Costello	Loeb sack	Slaughter
Courtney	Lofgren, Zoe	Smith (WA)
Critz	Lowe y	Speier
Crowley	Lujan	Sutton
Cuellar	Lynch	Thompson (CA)
Cummings	Maloney	Thompson (MS)
Davis (CA)	Markey	Tierney
Davis (IL)	Matheson	Tonko
DeFazio	Matsui	Towns
DeGette	McCarthy (NY)	Tsongas
DeLauro	McDermott	Van Hollen
Deutch	McGovern	Velazquez
Dicks	McIntyre	Visclosky
Dingell	McNerney	Walz (MN)
Doggett	Meeks	Wasserman
Donnelly (IN)	Michaud	Schultz
Doyle	Miller (NC)	Waters
Edwards	Miller, George	Watt
Ellison	Moore	Waxman
Engel	Moran	Weiner
Eshoo	Murphy (CT)	Welch
Farr	Nadler	Woolsey
Fattah	Napolitano	Wu
Filner	Neal	Yarmuth

NOES—238

Adams	Brady (TX)	Crawford
Aderholt	Brooks	Crenshaw
Akin	Broun (GA)	Culberson
Alexander	Buchanan	Davis (KY)
Amash	Bucshon	Denham
Austria	Buerkle	Dent
Bachmann	Burgess	DesJarlais
Bachus	Burton (IN)	Diaz-Balart
Barletta	Calvert	Dold
Bartlett	Camp	Dreier
Barton (TX)	Campbell	Duffy
Bass (NH)	Canseco	Duncan (SC)
Benishak	Cantor	Duncan (TN)
Berg	Capito	Ellmers
Biggert	Carter	Emerson
Bilbray	Cassidy	Farenthold
Bilirakis	Chabot	Fincher
Bishop (UT)	Chaffetz	Fitzpatrick
Black	Coble	Flake
Blackburn	Coffman (CO)	Fleischmann
Bonner	Cole	Fleming
Bono Mack	Conaway	Flores
Boustany	Cravaack	Forbes

Fortenberry	Lankford	Roby
Fox	Latham	Roe (TN)
Franks (AZ)	LaTourette	Rogers (AL)
Frelinghuysen	Latta	Rogers (KY)
Gallegly	Lewis (CA)	Rogers (MI)
Gardner	LoBiondo	Rohrabacher
Garrett	Long	Rokita
Gerlach	Lucas	Rooney
Gibbs	Luetkemeyer	Ros-Lehtinen
Gibson	Lummis	Roskam
Gingrey (GA)	Lungren, Daniel	Ross (FL)
Gohmert	E.	Royce
Goodlatte	Mack	Runyan
Gosar	Manzullo	Ryan (WI)
Gowdy	Marchant	Scalise
Granger	Marino	Schilling
Graves (GA)	McCarthy (CA)	Schmidt
Graves (MO)	McCaul	Schock
Griffin (AR)	McClintock	Schweikert
Griffith (VA)	McCotter	Scott (SC)
Grimm	McHenry	Scott, Austin
Guinta	McKeon	Sensenbrenner
Guthrie	McKinley	Sessions
Hall	McMorris	Shimkus
Hanna	Rodgers	Shuster
Harper	Meehan	Simpson
Harris	Mica	Smith (NE)
Hartzler	Miller (FL)	Smith (NJ)
Hastings (WA)	Miller (MI)	Smith (TX)
Hayworth	Miller, Gary	Southerland
Heck	Mulvaney	Stearns
Heller	Murphy (PA)	Stivers
Hensarling	Myrick	Stutzman
Herger	Neugebauer	Sullivan
Herrera Beutler	Noem	Terry
Huelskamp	Nugent	Thompson (PA)
Huizenga (MI)	Nunes	Thornberry
Hultgren	Nunnelee	Tiberi
Hunter	Olson	Tipton
Hurt	Palazzo	Turner
Issa	Paulsen	Upton
Jenkins	Pearce	Walberg
Kissell	Pence	Walden
Johnson (IL)	Petri	Walsh (IL)
Johnson (OH)	Pitts	Westber
Johnson, Sam	Platts	West
Jones	Poe (TX)	Westmoreland
Jordan	Kelly	Whitfield
Kelly	Pompeo	Wilson (SC)
King (IA)	Posey	Wittman
King (NY)	Price (GA)	Wolf
Kingston	Reed	Womack
Kinzinger (IL)	Rehberg	Woodall
Kline	Reichert	Yoder
Labrador	Renacci	Ribble
Lamborn	Rigell	Young (AK)
Lance	Rivera	Young (FL)
Landry		Young (IN)

NOT VOTING—9

Giffords	McCollum	Quayle
Harman	Paul	Stark
Hinojosa	Peters	Wilson (FL)

□ 0433

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

RECOGNIZING JOHN BLAZEY

Mr. DICKS. Madam Speaker, first of all, I want to thank the entire staff of the House Appropriations Committee for the fantastic work that they have done.

No one better exemplifies those qualities than Mr. John Blazey. One of the best moves we made was to steal him away from the Senate Budget Committee.

Next week, Blazey will end his 20-year career with the committee, where he worked on five different subcommittees, and holds the distinction of having been named the Transportation subcommittee staff director at the youngest age. His knowledge of process and substance is matched only by his style and parties.

Blazey—and his elf costume—will be missed.

I yield to the distinguished chairman of the committee.

Mr. ROGERS of Kentucky. Let me associate myself with the remarks of my friend in thanking John Blazey for his long tenure and service here in this great body.

Best wishes for the future.

To all the rest of you, I think you've done yourselves proud this week. I think the House distinguished itself, and I thank you, especially this terrific staff that made all of this happen.

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.

Under clause 10 of rule XX, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 235, nays 189, not voting 9, as follows:

[Roll No. 147]

YEAS—235

Adams	Fleming	LoBiondo
Aderholt	Flores	Long
Akin	Forbes	Lucas
Alexander	Fortenberry	Luetkemeyer
Amash	Foxx	Lummis
Austria	Franks (AZ)	Lungren, Daniel
Bachmann	Frelinghuysen	E.
Bachus	Gallely	Mack
Barletta	Gardner	Manzullo
Bartlett	Garrett	Marchant
Barton (TX)	Gerlach	Marino
Bass (NH)	Gibbs	McCarthy (CA)
Benishkek	Gibson	McCaul
Berg	Gingrey (GA)	McClintock
Biggert	Gohmert	McCotter
Bilbray	Goodlatte	McHenry
Billirakis	Gosar	McKeon
Bishop (UT)	Gowdy	McKinley
Black	Granger	McMorris
Blackburn	Graves (GA)	Rodgers
Bonner	Graves (MO)	Meehan
Bono Mack	Griffin (AR)	Mica
Boustany	Griffith (VA)	Miller (FL)
Brady (TX)	Grimm	Miller (MI)
Brooks	Guinta	Miller, Gary
Broun (GA)	Guthrie	Mulvaney
Buchanan	Hall	Murphy (PA)
Bucshon	Hanna	Myrick
Buerkle	Harper	Neugebauer
Burgess	Harris	Noem
Burton (IN)	Hartzler	Nugent
Calvert	Hastings (WA)	Nunes
Camp	Hayworth	Nunnelee
Canseco	Heck	Olson
Cantor	Heller	Palazzo
Capito	Hensarling	Paulsen
Carter	Herger	Pearce
Cassidy	Herrera Beutler	Pence
Chabot	Huelskamp	Petri
Chaffetz	Huizenga (MI)	Pitts
Coble	Hultgren	Platts
Coffman (CO)	Hunter	Poe (TX)
Cole	Hurt	Pompeo
Conaway	Issa	Posey
Cravaack	Jenkins	Price (GA)
Crawford	Johnson (IL)	Reed
Crenshaw	Johnson (OH)	Rehberg
Culberson	Johnson, Sam	Reichert
Davis (KY)	Jordan	Renacci
Denham	Kelly	Ribble
Dent	King (IA)	Rigell
DesJarlais	King (NY)	Rivera
Diaz-Balart	Kingston	Roby
Dold	Kinzinger (IL)	Roe (TN)
Dreier	Kline	Rogers (AL)
Duffy	Labrador	Rogers (KY)
Duncan (SC)	Lamborn	Rogers (MI)
Duncan (TN)	Lance	Rohrabacher
Ellmers	Landry	Rokita
Emerson	Lankford	Rooney
Farenthold	Latham	Ros-Lehtinen
Fincher	LaTourette	Roskam
Fitzpatrick	Latta	Ross (FL)
Fleischmann	Lewis (CA)	Royce

Ryunan	Smith (NJ)	Walden
Ryan (WI)	Smith (TX)	Walsh (IL)
Scalise	Southerland	Webster
Schilling	Stearns	West
Schmitt	Stivers	Westmoreland
Schock	Stutzman	Whitfield
Schweikert	Sullivan	Wilson (SC)
Scott (SC)	Terry	Wittman
Scott, Austin	Thompson (PA)	Wolf
Sensenbrenner	Thornberry	Womack
Sessions	Tiberi	Woodall
Shimkus	Tipton	Yoder
Shuster	Turner	Young (AK)
Simpson	Upton	Young (FL)
Smith (NE)	Walberg	Young (IN)

NAYS—189

Ackerman	Flake	Neal
Altmire	Frank (MA)	Olver
Andrews	Fudge	Owens
Baca	Garamendi	Pallone
Baldwin	Gonzalez	Pascrell
Barrow	Green, Al	Pastor (AZ)
Bass (CA)	Green, Gene	Payne
Becerra	Grijalva	Pelosi
Berkley	Gutierrez	Perlmutter
Berman	Hanabusa	Peterson
Bishop (GA)	Hastings (FL)	Pingree (ME)
Bishop (NY)	Heinrich	Polis
Blumenauer	Higgins	Price (NC)
Boren	Himes	Quigley
Boswell	Hinchey	Rahall
Brady (PA)	Hirono	Rangel
Braley (IA)	Holden	Reyes
Brown (FL)	Holt	Richardson
Butterfield	Honda	Richmond
Campbell	Hoyer	Ross (AR)
Capps	Inslee	Rothman (NJ)
Capuano	Israel	Roybal-Allard
Cardoza	Jackson (IL)	Ruppersberger
Carnahan	Jackson Lee	Rush
Carney	(TX)	Ryan (OH)
Carson (IN)	Johnson (GA)	Sánchez, Linda
Castor (FL)	Johnson, E. B.	T.
Chandler	Jones	Sanchez, Loretta
Chu	Kaptur	Sarbanes
Ciilline	Keating	Schakowsky
Clarke (MI)	Kildee	Schiff
Clarke (NY)	Kind	Schrader
Clay	Kissell	Schwartz
Cleaver	Kucinich	Scott (VA)
Clyburn	Langevin	Scott, David
Cohen	Larsen (WA)	Serrano
Connolly (VA)	Larson (CT)	Sewell
Conyers	Lee (CA)	Sherman
Cooper	Levin	Shuler
Costa	Lewis (GA)	Sires
Costello	Lipinski	Slaughter
Courtney	Loebsack	Smith (WA)
Critz	Lofgren, Zoe	Speier
Crowley	Lowe	Sutton
Cuellar	Lujan	Thompson (CA)
Cummings	Lynch	Thompson (MS)
Davis (CA)	Maloney	Tierney
Davis (IL)	Markey	Tonko
DeFazio	Matheson	Towns
DeGette	Matsui	Tsongas
DeLauro	McCarthy (NY)	Van Hollen
Deutch	McDermott	Velázquez
Dicks	McGovern	Visclosky
Dingell	McIntyre	Walz (MN)
Doggett	McNerney	Wasserman
Donnelly (IN)	Meeks	Schultz
Doyle	Michaud	Waters
Edwards	Miller (NC)	Watt
Ellison	Miller, George	Waxman
Engel	Moore	Weiner
Eshoo	Moran	Welch
Farr	Murphy (CT)	Woolsey
Fattah	Nadler	Wu
Filner	Napolitano	Yarmuth

NOT VOTING—9

Giffords	McCollum	Quayle
Harman	Paul	Stark
Hinojosa	Peters	Wilson (FL)

□ 0440

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBER TO NATO PARLIAMENTARY ASSEMBLY

The SPEAKER pro tempore. Pursuant to 22 U.S.C. 1928a, and the order of the House of January 5, 2011, the Chair announces the Speaker's appointment of the following Member of the House to the United States Group of the NATO Parliamentary Assembly:

Mr. DAVID SCOTT, Georgia (in lieu of Representative AUSTIN SCOTT of Georgia).

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, House Democratic Leader:

FEBRUARY 18, 2011.

HON. JOHN BOEHNER, Speaker of the House, U.S. Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to Section 4(b) of House Resolution 5, 111th Congress, I am writing to appoint the following members to the House Democracy Partnership:

The Honorable Susan Davis of California (in lieu of the Honorable Donald Payne of New Jersey).

The Honorable Gwen Moore of Wisconsin (in lieu of the Honorable Allyson Schwartz of Pennsylvania).

Thank you for your attention to these appointments.

Sincerely,

NANCY PELOSI, House Democratic Leader.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. QUAYLE (at the request of Mr. BOEHNER) for today and the balance of the week on account of the death of his father-in-law, Mr. Dale Crane.

Ms. MCCOLLUM (at the request of Ms. PELOSI) for today and the balance of the week on account of official travel.

Mr. PETERS (at the request of Ms. PELOSI) for today after 8 p.m. on account of family medical emergency.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 266. An act to redesignate the Noxubee National Wildlife Refuge as the Sam D. Hamilton Noxubee National Wildlife Refuge; to the Committee on Natural Resources.

S. 307. An act to designate the Federal building and United States courthouse located at 217 West King Street, Martinsburg, West Virginia, as the "W. Craig Broadwater Federal Building and United States Courthouse"; to the Committee on Transportation and Infrastructure.

S. 365. An act to make a technical amendment to the Education Sciences Reform Act of 2002; to the Committee on Education and the Workforce.

ADJOURNMENT

Mr. DENT. Madam Speaker, pursuant to House Concurrent Resolution 17,