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No. 19

House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. DENHAM).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

February 6, 2012.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

HOUSE REPUBLICAN TRANSPORTATION BILL

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Mrs. CAPPS) for 5 minutes.

Mrs. CAPPS. Mr. Speaker, there is an old saying that goes: when all you have is a hammer, every problem looks like a nail.

These days, it seems the Republican toolbox is down to just one tool. Because for all of the energy choices available to America, every Republican energy plan centers on one thing, drilling for more oil.

First it was simply: drill here, drill now. Well, we are. There is more drill-

ing taking place in the U.S. lands and water now than during the Bush administration. Indeed, last year, we relied less on foreign oil than in any of the past 16 years. Clean, renewable energy usage is at an all-time high as well.

Then it was: drill for energy independence. It sounds great, but unfortunately we can't simply drill our way to energy independence. Even with all of the expanded drilling we are doing, the plain fact is that we use too much oil and have too few domestic reserves.

Next it was: drilling will create jobs and put everyone back to work. That claim was based on borderline fictional numbers in a report bought and paid for—surprise—by the oil industry.

Now House Republicans have found a new problem that can only be solved by opening more of the country to risky and reckless drilling: filling the funding gap in the highway trust fund. Their latest proposal would combine three bills to open more of America's most sensitive lands and waters to drilling. Supposedly, this is how we are going to fund repairs to America's crumbling bridges and highways.

It shouldn't come as a surprise that again the numbers don't add up. Proponents of this approach now claim that we can make up the \$6 billion a year in the highway trust fund by mandating oil drilling just about everywhere. Yet according to the non-partisan Congressional Budget Office, drilling for oil and gas in protected coastal waters, as they wish, at best would produce only about \$80 million per year of assets. That's a small fraction of the funds needed to repair and upgrade America's roads and bridges.

They also want to open up a pristine coastal plain of Alaska's Arctic National Wildlife Refuge—a special place I've visited—and speed up development of Federal oil shale deposits across the West. Any potential revenues from this drilling, however, will not come close

to meeting the needs of the highway trust fund either. Whatever minimal funds do materialize would not be available for several years, maybe a decade. In other words, it is too little and it is too late.

Mr. Speaker, the only way to make progress in solving our current fiscal mess is not to create a new round of giveaways and favors to the oil industry. It would be better to start cutting some of the unnecessary tax breaks that the oil and gas industry now receives, and use that money to pay for the transportation bill. That's because they are unnecessary. Of the world's 12 most profitable corporations last year, fully half are oil companies. Repealing these tax breaks would save more than \$40 billion over 10 years, which would alone cover almost all the gap in the highway trust fund revenues. Americans are already squeezed at the pump. There is no reason why they should be handing over tax dollars to these wildly profitable companies.

Mr. Speaker, the Deepwater Horizon oil spill was the worst in history, crippling the gulf coast economy, destroying livelihoods of fishermen and tour operators, and killing wildlife for hundreds of miles. It was eerily similar to the destructive oil spill of 1969. That's when Santa Barbara beaches were smothered with oil—that's where I come from—that killed thousands of birds, fish, and sea lions.

Now House Republicans want to expose more of our coastal communities, including Santa Barbara and Ventura Counties, to the tender mercies of the oil and gas industry. They want to mandate new drilling off central coast beaches despite our community's long-held view that the current drilling should be ended, not extended.

They want to gut the environmental laws of our State that our community has used to protect its coastline from the kinds of devastation that the 1969 oil spill brought to Santa Barbara.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H477

This might be good news for oil companies, but it is bad news for my constituents; and it is bad energy policy.

Perhaps most ominously, Mr. Speaker, this proposal is bad news for the prospect of a new transportation bill. These new oil-drilling provisions are poison pills and could doom passage of this desperately needed jobs legislation.

This is very reminiscent of the manufactured crisis we saw last year to keep the government funded, pay our bad debts, and continue the payroll tax. We all saw the chaos and gridlock those fights produced. We need to put aside this effort to use the transportation bill as a means to push forward the favored policies for an already-pampered industry.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 8 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DENHAM) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, through Whom we see what we could be and what we can become, thank You for giving us another day.

Send Your spirit upon the Members of this people's House to encourage them in their official tasks. Be with them and all who labor here to serve this great Nation and its people.

Assure them that whatever their responsibilities, You provide the grace to enable them to be faithful to their duties and the wisdom to be conscious of their obligations and fulfill them with integrity.

Remind us all of the dignity of work, and teach us to use our talents and abilities in ways that are honorable and just and are of benefit to those we serve.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. BURGESS)

come forward and lead the House in the Pledge of Allegiance.

Mr. BURGESS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

UNEMPLOYMENT RATE IS ACTUALLY MUCH HIGHER

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

Mr. WILSON of South Carolina. Mr. Speaker, last Friday, the National Bureau of Labor Statistics released its jobs report for the month of January and revealed that our Nation's unemployment rate continues to be above 8 percent, marking the 36th consecutive month of record high unemployment.

Dr. Peter Morici, a business school professor at the University of Maryland, recently stated on Fox News that, if you factor in part-time workers who would prefer full-time positions, that unemployment rate becomes 15.6 percent. Factoring in college graduates in low skill positions, like counter work at Starbucks, the unemployment rate is, sadly, closer to 20 percent.

These statistics provide further evidence that the President's policies are failing to provide job creation. I hope the President and the liberal-controlled Senate will work with the House Republicans on the 30 bills that we've already passed for job creation through private sector growth which are currently held in the Senate.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

CELEBRATING THE LIFE OF PRESIDENT RONALD REAGAN

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

Mr. BURGESS. Mr. Speaker, 101 years ago today, the 40th President of the United States, Ronald Wilson Reagan, was born. It's a tribute to the man that there is bipartisan agreement to the greatness of Ronald Reagan as President. We hear from both sides of the aisle about his fortitude, his encouraging smile, his positive attitude. He handled the weight of the Presidency with such ease.

I remember, as a young physician in north Texas, watching as this individual led our country from the travails that were Vietnam, Watergate, stagflation, and not only gave us a reason to believe in ourselves, he said it was okay to believe in yourselves as Americans again, and we did. And, as a consequence, we reestablished America as a force in the world and we reestablished our prosperity.

Everyone has their favorite Ronald Reagan quotes. Mine is, as we watch

some of the difficulties and arguments between conservatives during this Presidential year: Remember that if we agree with each other 80 percent of the time, we're on the same side; and if it's a 100 percent, one of us is suddenly unnecessary.

Mr. Speaker, I hope all Members of the House today will acknowledge the 101st anniversary of the birth of Ronald Reagan. The Nation is forever in his debt.

LABOR NUMBERS

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, I think it is becoming increasingly clear to anybody that's paying attention that this President's policies have failed and are making the economy worse.

More Americans are out of work than when he took office. At that point, unemployment was 7.8 percent. America has witnessed the longest period of sustained high unemployment since the Great Depression, more than 8 percent for every month that he has been in office.

When the President talks about the latest unemployment statistics, I think it's important that we look at more pressing issues, which is labor force participation. For the past 31 months, discouraged workers have been dropping out of the labor force in unprecedented numbers.

In June 2009, which they like to say was the end of the recession—it was 6 months into his term—the labor force participation rate was 65.7 percent. Today, it is down to 63.7 percent. The difference between those two numbers represents 4.8 million people who have given up looking for work. If the labor force participation rate had remained where it was when he took office, at 65.7 percent, the unemployment rate for January 2012 would have been 11 percent, rather than 8.3.

It is time for us to change policies. It is time for us to get America back to work. The American people continue to say, "Where are the jobs?"

PASS THE PAYROLL TAX EXTENSION

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

Mr. COURTNEY. Mr. Speaker, last Friday the Department of Labor came out with job statistics which no one expected. The U.S. economy added 243,000 new jobs, and there was a revision upward for December and November across the board: manufacturing, service, leisure, service industries, health care.

The U.S. economy, which has suffered its biggest blow since the Depression because of the financial meltdown

in 2008, is picking up strength. But as the President said, Congress must not muck it up.

We need to pass the payroll tax cut extension, which expires at the end of February, fix the doctors' fees, and do an unemployment compensation. If we don't do that, the markets are going to head south on us again, just like they did last December.

This Congress wasted the entire month of January with no conference committee to resolve this issue. It is time that we fix this and get it done right away, and we shouldn't go home this weekend until we pass a payroll tax cut extension.

PASS H.R. 1734

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

Mr. DENHAM. Mr. Speaker, there is a lot that tends to divide this House. Tonight, in a rule, and tomorrow morning, in debate, we will address a bill, H.R. 1734, which can pull both parties together, something that can address the waste in government, getting rid of a lot of the expenses that we have in the ongoing maintenance of properties that we just don't need, getting rid of a waste of properties that we can sell off, and actually bringing in new revenue, not by raising taxes, but new revenue by selling off the properties that are underutilized or excess or have yet to be declared excess properties. We can also bring in local tax revenue by putting private development back in these properties.

And most of all, if you really want to create jobs, not only do we have 30 jobs bills sitting over in the Senate right now, but here's yet one more, with bipartisan support, to sell off properties we don't need, reinvest in properties that we can redevelop, rein in the abuse by leasing authority from other agencies, and get government accountable again.

H.R. 1734 will be on the House floor, and we'll be looking forward to bipartisan support.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Pate, one of his secretaries.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 6, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of

the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 6, 2012 at 9:47 a.m.:

That the Senate passed S. 2038.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

BLOCKING PROPERTY OF THE GOVERNMENT OF IRAN AND IRANIAN FINANCIAL INSTITUTIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-85)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA), I hereby report that I have issued an Executive Order (the "order") that takes additional steps with respect to the national emergency declared in Executive Order 12957 of March 15, 1995.

In Executive Order 12957, the President found that the actions and policies of the Government of Iran threaten the national security, foreign policy, and economy of the United States. To deal with that threat, the President in Executive Order 12957 declared a national emergency and imposed prohibitions on certain transactions with respect to the development of Iranian petroleum resources. To further respond to that threat, Executive Order 12959 of May 6, 1995, imposed comprehensive trade and financial sanctions on Iran. Executive Order 13059 of August 19, 1997, consolidated and clarified the previous orders. To take additional steps with respect to the national emergency declared in Executive Order 12957 and to implement section 105(a) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) (22 U.S.C. 8501 et seq.) (CISADA), I issued Executive Order 13553 on September 28, 2010, to impose sanctions on officials of the Government of Iran and other persons acting on behalf of the Government of Iran determined to be responsible for or complicit in certain serious human rights abuses. To take further additional steps with respect to the threat posed by Iran and to provide implementing authority for a number of the sanctions set forth in the Iran Sanctions Act of 1996 (Public Law 104-172) (50 U.S.C. 1701 note) (ISA), as amended by CISADA, I issued Executive Order 13574 on May 23, 2011, to authorize the Secretary of the Treasury to implement certain sanctions imposed by the Secretary of State pursuant to ISA, as amended by CISADA. Finally, to take additional steps with respect to the threat posed by Iran, I issued Executive Order 13590 on November 20, 2011,

to authorize the Secretary of State to impose sanctions on persons providing certain goods, services, technology, information, or support that contribute either to Iran's development of petroleum resources or to Iran's production of petrochemicals, and to authorize the Secretary of the Treasury to implement some of those sanctions.

I have determined that additional sanctions are warranted, particularly in light of the deceptive practices of the Central Bank of Iran and other Iranian banks to conceal transactions of sanctioned parties, the deficiencies in Iran's anti-money laundering regime and the weaknesses in its implementation, and the continuing and unacceptable risk posed to the international financial system by Iran's activities.

The order also implements section 1245(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) (NDAA) by blocking the property and interests in property of Iranian financial institutions pursuant to IEEPA.

The order blocks the property and interests in property of the following:

The Government of Iran, including the Central Bank of Iran;

Any Iranian financial institution, including the Central Bank of Iran; and

Persons determined by the Secretary of the Treasury, in consultation with the Secretary of State, to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the order.

The prohibitions of the order do not apply to property and interests in property of the Government of Iran that were blocked pursuant to Executive Order 12170 of November 14, 1979, and thereafter made subject to the transfer directives set forth in Executive Order 12281 of January 19, 1981, and implementing regulations thereunder. In addition, nothing in the order prohibits transactions for the conduct of the official business of the Federal Government by employees, grantees, or contractors thereof.

I have delegated to the Secretary of the Treasury the authority, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the blocking-related purposes of the order. All agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

I have also delegated certain functions and authorities conferred by section 1245 of the NDAA to the Secretary of the Treasury and the Secretary of State in consultation with other appropriate agencies as specified in the order.

I am enclosing a copy of the Executive Order I have issued.

BARACK OBAMA,
THE WHITE HOUSE, February 5, 2012.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:30 today.

Accordingly (at 2 o'clock and 15 minutes p.m.), the House stood in recess.

□ 1634

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 4 o'clock and 34 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

COROLLA WILD HORSES PROTECTION ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 306) to direct the Secretary of the Interior to enter into an agreement to provide for management of the free-roaming wild horses in and around the Currituck National Wildlife Refuge, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 306

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Corolla Wild Horses Protection Act".

SEC. 2. WILD HORSES IN AND AROUND THE CURRITUCK NATIONAL WILDLIFE REFUGE.*(a) AGREEMENT REQUIRED.—*

(1) IN GENERAL.—The Secretary of the Interior shall enter into an agreement with the Corolla Wild Horse Fund (a nonprofit corporation established under the laws of the State of North Carolina), the County of Currituck, North Carolina, and the State of North Carolina within 180 days after the date of enactment of this Act to provide for management of free-roaming wild horses in and around the Currituck National Wildlife Refuge.

(2) TERMS.—The agreement shall—

(A) allow a herd of not less than 110 and not more than 130 free-roaming wild horses in and around such refuge, with a target population of between 120 and 130 free-roaming wild horses;

(B) provide for cost-effective management of the horses while ensuring that natural resources within the refuge are not adversely impacted;

(C) provide for introduction of a small number of free-roaming wild horses from the herd at Cape Lookout National Seashore as is necessary to maintain the genetic viability of the herd in and around the Currituck National Wildlife Refuge; and

(D) specify that the Corolla Wild Horse Fund shall pay the costs associated with—

(i) coordinating a periodic census and inspecting the health of the horses;

(ii) maintaining records of the horses living in the wild and in confinement;

(iii) coordinating the removal and placement of horses and monitoring of any horses removed from the Currituck County Outer Banks; and

(iv) administering a viable population control plan for the horses including auctions, adoptions, contraceptive fertility methods, and other viable options.

(b) CONDITIONS FOR EXCLUDING WILD HORSES FROM REFUGE.—The Secretary shall not exclude free-roaming wild horses from any portion of the Currituck National Wildlife Refuge unless—

(1) the Secretary finds that the presence of free-roaming wild horses on a portion of the Refuge threatens the survival of an endangered species for which such land is designated as critical habitat under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(2) such finding is based on a credible peer-reviewed scientific assessment; and

(3) the Secretary provides a period of public notice and comment on that finding.

(c) REQUIREMENTS FOR INTRODUCTION OF HORSES FROM CAPE LOOKOUT NATIONAL SEASHORE.—During the effective period of the memorandum of understanding between the National Park Service and the Foundation for Shackleford Horses, Inc. (a non-profit corporation organized under the laws of and doing business in the State of North Carolina) signed in 2007, no horse may be removed from Cape Lookout National Seashore for introduction at Currituck National Wildlife Refuge except—

(1) with the approval of the Foundation; and

(2) consistent with the terms of such memorandum (or any successor agreement) and the Management Plan for the Shackleford Banks Horse Herd signed in January 2006 (or any successor management plan).

(d) NO LIABILITY CREATED.—Nothing in this section shall be construed as creating liability for the United States for any damages caused by the free-roaming wild horses to any person or property located inside or outside the boundaries of the refuge.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. HASTINGS of Washington. I yield myself as much time as I may consume.

Mr. Speaker, in 2007, the State of North Carolina, the U.S. Fish and Wildlife Service, the County of Currituck, and the Corolla Wild Horse Fund completed a Wild Horse Management Plan for the colonial Spanish Mustangs that live on the 7,544 acres of public and private lands in coastal North Carolina. This plan expires in April, and the Fish and Wildlife Service has indicated that they will not sign the 2012 plan.

H.R. 306, authored by my friend and classmate Congressman WALTER JONES

from North Carolina, requires the Secretary of the Interior to enter into a new agreement within 180 days of enactment.

It will also stabilize the number of horses to no more than 130, allow the introduction of a small number of Shackleford Banks horses to improve genetic diversity, and will ensure that the Corolla Wild Horse Fund will continue to pay for the costs of caring for and managing these horses.

Mr. Speaker, these horses are living symbols of our colonial history. H.R. 306 ensures that they will survive in the future at no cost to our taxpayers.

I want to thank my friend from North Carolina for his leadership on this matter, and I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I yield myself as much time as I may consume.

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

Mr. SABLAN. Mr. Speaker, I rise in support of H.R. 306. H.R. 306, as amended, directs the Secretary of the Interior to enter into an agreement with the Corolla Wild Horse Fund, as well as local and State authorities, to provide for the management of the free-roaming wild horses in and around Currituck National Wildlife Refuge. The agreement will increase the cap on the herd size in and around the refuge to 130 horses and specifies that the privately funded Corolla Wild Horse Fund will cover the costs of managing the herd.

Catching a glimpse of these horses on the beach is an integral part of what draws thousands of visitors to the North Carolina coast each year. However, the Currituck refuge was established in 1984 to preserve and protect the native coastal barrier island ecosystem. The refuge provides essential habitat for migrating waterfowl and endangered species, such as piping plover and sea turtles, which also draws visitors to these beaches.

It is unusual to protect a nonnative species in a wildlife refuge. Extra effort and resources are needed to ensure that the wild herd does not impair the ecosystem for the native animals and plants. The Fish and Wildlife Service needs additional funds to accomplish the conservation purposes of the Currituck National Wildlife Refuge. Additional resources would support staff salaries, since no staff is currently stationed at Currituck National Wildlife Refuge; corrals to keep the horses from trampling critical habitat; and research to study the potential impacts of these horses on the island's habitat.

As we move forward to consider the Fish and Wildlife Service budget later this month, we should examine the operations and maintenance backlog of the National Wildlife Refuge System, which has been chronically underfunded. We must provide the Fish and Wildlife Service adequate funding to

preserve all the species in the home of these horses.

I thank Mr. JONES for his work in support of the Currituck National Wildlife Refuge and urge adoption of H.R. 306.

I reserve the balance of my time.

□ 1640

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 4 minutes to the author of this legislation, the gentleman from North Carolina (Mr. JONES).

Mr. JONES. Mr. Chairman, thank you very much for the time. To the ranking member, thank you for your comments as well.

As has already been stated, H.R. 306 would provide for a new public-private management plan for the free roaming Corolla wild horses of North Carolina's Outer Banks—at no cost to our taxpayers.

The Corolla wild horses are Colonial Spanish Mustangs that can be traced back to the Spanish explorers on the Outer Banks in the 16th century. They've survived in the wild for over 400 years and roam across 7,500 acres of public and private land in coastal Currituck County, North Carolina.

Under the existing management agreement between the Interior Department, the State of North Carolina, Currituck County, and the nonprofit Corolla Wild Horse Fund, the maximum number of horses allowed in the herd is 60. Equine genetic scientists believe the number of 60 threatens the herd's existence due to high levels of inbreeding and low levels of genetic diversity.

To address this issue, H.R. 306 would require a new management plan to allow a herd of no less than 110 horses and no more than 130 horses. 110 is the minimum number that leading equine genetic scientist Dr. Gus Cothran of Texas A&M University has found to be necessary to maintain the herd's genetic viability. It is important to note that these numbers are well within the carrying capacity of the land these horses call home. To improve the herd's genetics, the bill would allow for the limited introduction of wild horses from the related herd at Cape Lookout National Seashore.

I would like to emphasize that H.R. 306 requires the Corolla Wild Horse Fund, not the Federal Government, to pay for managing the horses. The fund is a thriving nonprofit with an annual budget of over \$400,000 that is growing each and every year. They already pay the costs of managing the horses, and they will continue to do so under this bill. Confirming this point, the CBO score on H.R. 306 found "the Federal Government would incur no significant additional costs to manage or mitigate the effects of horses on the refuge."

H.R. 306 is similar to another bipartisan bill that was made reference to a while ago that I authored to create a public-private partnership to save the wild horses of Shackleford Banks in

Cape Lookout National Seashore. That legislation was passed by the Republican House in 1998 and was signed into law by President Bill Clinton. I want to, at this time, acknowledge for the record that his Chief of Staff, Erskine Bowles, was instrumental in that bill's becoming law.

Mr. Speaker, the Corolla wild horses are a key part of North Carolina's heritage and an important element of the Outer Banks' economy. In fact, they're the North Carolina State horse. H.R. 306 has broad bipartisan support, and I want to thank both parties for that support. Among others, it is supported by North Carolina Governor Bev Perdue, Currituck County and the local community, the Corolla Wild Horse Fund, the Humane Society, the American Society for Prevention of Cruelty to Animals, the Animal Welfare Institute, and the Foundation for Shackleford Horses.

Mr. Speaker, in closing, I make reference to these posters. As you can well see, these horses have their own heritage. They are absolutely wonderful, beautiful animals, and many times on the coast of North Carolina, when these horses are standing in the ocean with their foal, you will see those tourists come right up to the horse and to the foal and pet them. These horses are part of our heritage, and I thank both parties for passing this bill as I hope that we will pass this bill today.

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

Mr. HASTINGS of Washington. I urge the passage of this important piece of legislation for North Carolina, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 306, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NEW YORK CITY NATURAL GAS SUPPLY ENHANCEMENT ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2606) to authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2606

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "New York City Natural Gas Supply Enhancement Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) ENTITY.—The term "entity" means an entity holding a permit issued under this Act.

(2) LEASE.—The term "lease" means an agreement that authorizes the occupancy and use of certain designated premises for facilities associated with the project, particularly a meter and regulating station.

(3) NATURAL GAS PIPELINE FACILITIES.—The term "natural gas pipeline facilities" means pipeline and related equipment necessary for the transmission and distribution of natural gas, such as meters and heating and pressure-regulating devices used in the transportation of natural gas.

(4) PERMIT.—The term "permit" means any permits, rights-of-way, or any other authorizations necessary for the Secretary to authorize the construction, operation, and maintenance of natural gas pipeline facilities in the Gateway National Recreation Area.

(5) PROJECT.—The term "project" means the natural gas pipeline facilities within Gateway National Recreation Area, including the meter and regulating station to be located at Floyd Bennett Field, that are part of the Rockaway Delivery Lateral/Brooklyn Queens Interconnect Project, as further described in Federal Energy Regulatory Commission (FERC) Docket No. PF09-8, and including authorized revisions to the project.

(6) RENT.—The term "rent" means any payment to the Secretary pursuant to a lease for occupancy and use of designated premises to be made in such a manner and at such intervals as determined by the Secretary.

(7) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the National Park Service.

SEC. 3. PERMITTING INSTRUMENTS FOR NATURAL GAS PIPELINE FACILITIES.

(a) IN GENERAL.—The Secretary may issue permits to authorize the construction, operation, and maintenance of natural gas pipeline facilities, as provided by the project, within Gateway National Recreation Area.

(b) TERMS AND CONDITIONS.—

(1) Any rights-of-way or other permits issued for the natural gas pipeline facilities under this section shall be consistent with the laws and regulations generally applicable to utility rights-of-way within units of the National Park System.

(2) Any permits issued under this section for the natural gas pipeline facilities shall be subject to such terms and conditions the Secretary deems appropriate.

(3) The Secretary shall charge a fee for any permits issued under this section. The fees shall be based on fair market value and shall also include costs incurred by the National Park Service in processing a request for a permit; issuing a permit, if appropriate; and monitoring the permitted activities.

(4) Any permits issued under this section shall be for a term of 10 years, subject to renewal with any changes to its terms and conditions mutually agreed upon.

(c) ENFORCEMENT.—Failure to comply with, or a violation of, any term or condition of a permit may result in a citation, or fine, or the suspension or revocation of authorization to conduct the permitted activity.

SEC. 4. LEASE OF BUILDINGS.

The Secretary may enter into a non-competitive lease with any entity to allow the occupancy and use of buildings and associated properties on Floyd Bennett Field to house facilities associated with the project, particularly a meter and regulating station. Such lease shall—

(1) otherwise be subject to National Park Service leasing regulations;

(2) provide for the restoration and maintenance of the buildings and associated properties in accordance with the Secretary of the Interior's Treatment Standards for Historic Property (36 CFR Part 68), section 106 of the National Historic Preservation Act (36 CFR 800), and any programmatic agreements;

(3) provide for appropriate rent for occupancy and use of the property representing, at minimum but not limited to, fair market value; and

(4) provide for monetary penalties for violations of the lease.

SEC. 5. FEES AND RENT.

(a) FEES.—The Secretary shall retain the portion of any fee assessed under section 3(b)(3) that is equal to the costs incurred in processing and issuing the permit request and monitoring the permitted activities, and the balance of the fee shall be deposited in the Treasury of the United States.

(b) RENT.—Any rent collected pursuant to section 4 shall be deposited in a special account in the Treasury of the United States in accordance with section 3(k)(5) of Public Law 91-383 (16 U.S.C. 1a-2(k)(5)) and shall be available to the Secretary, without further appropriation and without fiscal year limitation, for infrastructure needs, resource protection, and visitor services at the Gateway National Recreation Area.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

H.R. 2606, introduced by the gentleman from New York (Mr. GRIMM), authorizes the construction of a lateral pipeline off the coast of New York City. The pipeline will pass under the Gateway National Recreation Area and will deliver natural gas to residents of Brooklyn and Queens. Under current law, the National Park Service does not have the authority to approve the pipeline. Therefore, Mr. GRIMM introduced H.R. 2606 to allow this project to move forward, benefiting not only New York residents but visitors to the Gateway National Recreation Area. Specifically, as part of the agreement reached with the National Park Service, historic aircraft hangars located at Floyd Bennett Field will be rehabilitated and put into use by the park. Of course, this project will also create much-needed jobs and promote job creation by providing reliable, affordable energy.

The City of New York has enthusiastically embraced this proposal and, in particular, has expressed support for

the use of the horizontal directional drilling to safely install a 3-mile, 26-inch-diameter pipeline. H.R. 2606 has bipartisan support, and of course it is supported by the National Park Service. So I urge its adoption and reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I yield myself as much time as I may consume.

This legislation appears to be a good solution to a challenging problem. H.R. 2606 will allow for the delivery of natural gas into an underserved area while also providing a revenue stream that will allow the National Park Service to rehabilitate important historic structures at Gateway National Recreation Area.

Representatives GRIMM and MEEKS, who represent Gateway, are to be commended for their hard work on this compromise bill.

In the past, some have raised concerns regarding whether it is appropriate for Congress to direct funding to specific projects such as this one. We are pleased to see that when a meritorious project such as this one is proposed, a project which will provide energy resources while also improving historic resources, it is allowed to proceed.

We support the passage of H.R. 2606, as amended, and I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 4 minutes to the sponsor of this legislation, the gentleman from Staten Island, New York (Mr. GRIMM).

Mr. GRIMM. I appreciate the opportunity to speak in support of my bill, H.R. 2606, the New York City Natural Gas Supply Enhancement Act.

This bill, as was said, will authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the New York portion of the Gateway National Recreation Area.

I would like to especially thank my colleague and cosponsor and friend, Congressman GREGORY MEEKS, for all of his efforts. It was a pleasure to work with him in a bipartisan manner, and we appreciate his staff as well.

We would like to thank Natural Resources Chairman HASTINGS, Ranking Member MARKEY, Subcommittee Chairman BISHOP, Ranking Member GRIMALVA, and their staffs for helping move our bill through the committee and on a bipartisan basis for their work with the National Park Service in strengthening the bill as it moved to the House floor.

The National Park Service deserves our appreciation as well for all of its efforts over the years for improving the Gateway National Recreation Area and, in particular, for reviving the historic Floyd Bennett Field for future generations.

This project will be the first bulk natural gas transmission project in Brooklyn, Staten Island, and Queens in more than 40 years. The 5.2 million

people living in these three boroughs are demanding more and more natural gas. Natural gas, as we all know, is reliable; it's clean; it's domestic; and it's economical.

On September 15 of last year, New York City Deputy Mayor Cas Holloway testified before the National Parks Subcommittee and, in support of the Grimm-Meeks bill, explained why it was so important. I would like to thank Mr. Holloway, the deputy mayor, for his efforts, and I would like to draw special attention to some of his testimony.

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Deputy Mayor Holloway stated: "Energy demand in New York City is increasing and will continue to grow," so getting this Gateway project done, as Deputy Mayor Holloway said, "is a major effort that includes the private sector, the city, State, and Federal Governments."

This pipeline will pass underneath both Gateway's beachfront Jacob Riis Park in Queens and Jamaica Bay to the meter station located at Floyd Bennett Field in Brooklyn where it will then interconnect into the local natural gas distribution system serving the communities in and around my district.

The pipeline project authorized in H.R. 2606 will help the Park Service in the face of severe fiscal constraints by authorizing the NPS to enter into a lease, which will allow the Gateway pipeline project to meter and regulate a station inside one of the hangar buildings. The meter station is basically a secure building inside a building with a hangar building's exterior being restored to its original condition coupled with a lease payment that we expect NPS to put towards the restoration of other hangar buildings for multipurpose park uses. More importantly, however, is the fact that the Gateway pipeline project will generate approximately \$265 million in construction activity. That's almost 300 local jobs—300 construction jobs—and that's about \$8 million in annual local property taxes for New York City, providing a much-needed short-term and long-term boost to our local economy.

When I came to Congress, I promised my constituents on Staten Island and in Brooklyn that I would find fiscally conservative ways to create jobs and get the country moving again. Mr. Speaker, this bill does exactly that. Not only will it create a unique public-private partnership to revitalize Floyd Bennett Field, but it also creates good-paying jobs and increases the supply of inexpensive natural gas.

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

Mr. HASTINGS of Washington. I urge the adoption of H.R. 2606, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the

rules and pass the bill, H.R. 2606, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HASTINGS of Washington. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

QUILEUTE TRIBE TSUNAMI PROTECTION ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1162) to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1162

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

SECTION 1. OLYMPIC NATIONAL PARK — QUILEUTE TRIBE.

(a) DEFINITIONS.—In this section:

(1) MAP.—The term “Map” means the map entitled “Olympic National Park and Quileute Reservation Boundary Adjustment Map”, numbered 149/80,059, and dated June 2010.

(2) PARK.—The term “Park” means the Olympic National Park, located in the State of Washington.

(3) RESERVATION.—The term “Reservation” means the Quileute Indian Reservation, located on the Olympic Peninsula in the State of Washington.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(5) TRIBE.—The term “Tribe” means the Quileute Indian Tribe in the State of Washington.

(b) FINDINGS AND PURPOSE.—

(1) FINDINGS.—Congress finds that—

(A) the Reservation is located on the western coast of the Olympic Peninsula in the State of Washington, bordered by the Pacific Ocean to the west and the Park on the north, south, and east;

(B) most of the Reservation village of La Push is located within the coastal flood plain, with the Tribe’s administrative buildings, school, elder center, and housing all located in a tsunami zone;

(C) for many decades, the Tribe and the Park have had a dispute over the Reservation boundaries along the Quillayute River;

(D) in recent years, this dispute has intensified as the Tribe has faced an urgent need for additional lands for housing, schools, and other Tribe purposes outside the tsunami and Quillayute River flood zones; and

(E) the lack of a settlement of this dispute threatens to adversely impact the public’s existing and future recreational use of several attractions in the Park that are accessed by the public’s use of Reservation lands.

(2) PURPOSES.—The purposes of this Act are—

(A) to resolve the longstanding dispute along portions of the northern boundary of the Quileute Indian Reservation;

(B) to clarify public use and access to Olympic National Park lands that are contiguous to the Reservation;

(C) to provide the Quileute Indian Tribe with approximately 275 acres of land currently located within the Park and approximately 510 acres of land along the Quillayute River, also within the Park;

(D) to adjust the wilderness boundaries to provide the Quileute Indian Tribe Tsunami and flood protection; and

(E) through the land conveyance, to grant the Tribe access to land outside of tsunami and Quillayute River flood zones, and link existing Reservation land with Tribe land to the east of the Park.

(c) REDESIGNATION OF FEDERAL WILDERNESS LAND, OLYMPIC NATIONAL PARK CONVEYANCE.—

(1) REDESIGNATION OF WILDERNESS.—Certain Federal land in the Park that was designated as part of the Olympic Wilderness under title 1 of the Washington Park Wilderness Act of 1988 (Public Law 100-668; 102 Stat. 3961; 16 U.S.C. 1132 note) and comprises approximately 222 acres, as generally depicted on the Map is hereby no longer designated as wilderness, and is no longer a component of the National Wilderness Preservation System under the Wilderness Act (16 U.S.C. 1131 et seq.).

(2) LANDS TO BE HELD IN TRUST.—All right, title, and interest of the United States in and to the approximately 510 acres generally depicted on the Map as “Northern Lands”, and the approximately 275 acres generally depicted on the Map as “Southern Lands”, are declared to be held in trust by the United States for the benefit of the Tribe without any further action by the Secretary.

(3) BOUNDARY ADJUSTMENT; SURVEY.—The Secretary shall—

(A) adjust the boundaries of Olympic Wilderness and the Park to reflect the change in status of Federal lands under paragraph (2); and

(B) as soon as practicable after the date of enactment of this section, conduct a survey, defining the boundaries of the Reservation and Park, and of the Federal lands taken into and held in trust that are adjacent to the north and south bank of the Quillayute River as depicted on the Map as “Northern Lands”.

(4) LAW APPLICABLE TO CERTAIN LAND.—The land taken into trust under this subsection shall not be subject to any requirements for valuation, appraisal, or equalization under any Federal law.

(d) NON-FEDERAL LAND CONVEYANCE.—Upon completion and acceptance of an environmental hazard assessment, the Secretary shall take into trust for the benefit of the Tribe certain non-Federal land owned by the Tribe, consisting of approximately 184 acres, as depicted on the Map as “Eastern Lands”, such non-Federal land shall be designated as part of the Reservation.

(e) MAP REQUIREMENTS.—

(1) AVAILABILITY OF INITIAL MAP.—The Secretary shall make the Map available for public inspection in appropriate offices of the National Park Service. The Map shall also depict any non-Federal land currently owned by the Tribe which is being placed in trust under this section.

(2) REVISED MAP.—Not later than one year after the date of the land transaction in subsections (d) and (e), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and Committee on Natural Resources of the House of Representatives a revised map that depicts—

(A) the Federal and non-Federal land taken into trust under this section and the Second Beach Trail; and

(B) the actual boundaries of the Park as modified by the land conveyance.

(f) JURISDICTION.—The land conveyed to the Tribe by this section shall be designated as part of the Quileute Reservation and placed in the following jurisdictions:

(1) TRUST LAND.—The same Federal, State, and Tribe jurisdiction as on all other trust lands within the Reservation, so long as the exercise of such jurisdiction does not conflict with the

terms of the easement described in subsection (g) below.

(2) TRIBE JURISDICTION.—Park visitors shall remain subject to the jurisdiction of the Tribe while on the Second Beach parking lot, on those portions of the Second Beach Trail on the Reservation, and Rialto Spit, to the same extent that such visitors are subject to the Tribe’s jurisdiction elsewhere on the Reservation.

(g) GRANT OF EASEMENT IN CONNECTION WITH LAND CONVEYANCE.—

(1) EASEMENT REQUIRED.—The conveyances under subsection (c)(2) shall be subject to the conditions described in this subsection.

(2) REQUIRED RIGHTS UNDER EASEMENT.—Any easement granted under this subsection must contain the following express terms:

(A) NO IMPACT ON EXISTING RIGHTS.—An easement shall not limit the Tribe’s treaty rights or other existing rights.

(B) RETENTION OF RIGHTS.—The Tribe retains the right to enforce its rules against visitors for disorderly conduct, drug and alcohol use, use or possession of firearms, and other disruptive behaviors.

(C) MONITORING OF EASEMENT CONDITIONS.—The Park has the right, with prior notice to the Tribe, to access lands conveyed to the Tribe for purposes of monitoring compliance with any easement made under this subsection.

(3) EXEMPTION FOR SUBSECTION (d) LAND.—The non-Federal land owned by the Tribe and being placed into trust by the Secretary in accordance with subsection (d) shall not be included in, or subject to, any easement or condition specified in this subsection.

(4) REQUIRED TERMS AND CONDITIONS.—The following specified land areas shall be subject to the following easement conditions:

(A) CONDITIONS ON NORTHERN LAND.—Certain land that will be added to the northern boundary of the Reservation by the land conveyance, from Rialto Beach to the east line of Section 23, shall be subject to an easement, which shall contain the following requirements:

(i) The Tribe may lease or encumber the land, consistent with their status as trust lands, provided that the Tribe expressly subjects the conveyance or authorized use to the terms of the easement.

(ii) The Tribe may place temporary, seasonal camps on the land, but shall not place or construct commercial residential, industrial, or other permanent buildings or structures.

(iii) Roads on the land on the date of enactment of this Act may be maintained or improved, but no major improvements or road construction may occur, and any road improvements, temporary camps, or other uses of these lands shall not interfere with its use as a natural wildlife corridor.

(iv) The Tribe may authorize Tribe members and third parties to engage in recreational, ceremonial, or treaty uses of the land provided that the Tribe adopts and enforces regulations permanently prohibiting the use of firearms in the Thunder Field area, and any areas south of the Quillayute River as depicted on the Map.

(v) The Tribe may exercise its sovereign right to fish and gather along the Quillayute River in the Thunder Field area.

(vi) The Tribe may, consistent with any applicable Federal law, engage in activities reasonably related to the restoration and protection of the Quillayute River and its tributaries and streams, weed control, fish and wildlife habitat improvement, Quillayute River or streambank stabilization, and flood control. The Tribe and the Park shall conduct joint planning and coordination for Quillayute River restoration projects, including streambank stabilization and flood control.

(vii) Park officials and visitors shall have access to engage in activities along and in the Quillayute River and Dickey River that are consistent with past recreational uses, and the Tribe shall allow the public to use and access the Dickey River, and Quillayute River along

the north bank, regardless of future changes in the Quillayute River or Dickey River alignment.

(viii) Park officials and visitors shall have access to, and shall be allowed to engage in, activities on Tribal lands at Rialto Spit that are consistent with past recreational uses, and the Tribe shall have access to Park lands at Rialto Beach so that the Tribe may access and use the jetty at Rialto Beach.

(B) CONDITIONS ON SECOND BEACH TRAIL AND ACCESS.—Certain Quileute Reservation land along the boundary between the Park and the southern portion of the Reservation, encompassing the Second Beach trailhead, parking area, and Second Beach Trail, shall be subject to a conservation and management easement, as well as any other necessary agreements, which shall implement the following provisions:

(i) The Tribe shall allow Park officials and visitors to park motor vehicles at the Trail parking area existing on the date of enactment of this Act and to access the portion of the Trail located on Tribal lands, and the Park shall be responsible for the costs of maintaining existing parking access to the Trail.

(ii) The Tribe shall grant Park officials and visitors the right to peacefully use and maintain the portion of the Trail that is on Tribal lands, and the Park shall be responsible for maintaining the Trail and shall seek advance written approval from the Tribe before undertaking any major Trail repairs.

(iii) The Park officials and the Tribe shall conduct joint planning and coordination regarding any proposed relocation of the Second Beach trailhead, the parking lot, or other portions of the Trail.

(iv) The Tribe shall avoid altering the forested landscape of the Tribe-owned headlands between First and Second Beach in a manner that would adversely impact or diminish the aesthetic and natural experience of users of the Trail.

(v) The Tribe shall reserve the right to make improvements or undertake activities at the Second Beach headlands that are reasonably related to enhancing fish habitat, improving or maintaining the Tribe's hatchery program, or alterations that are reasonably related to the protection of the health and safety of Tribe members and the general public.

(vi) The Park officials, after consultation with the Tribe, may remove hazardous or fallen trees on the Tribal-owned Second Beach headlands to the extent necessary to clear or safeguard the Trail, provided that such trees are not removed from Tribal lands.

(vii) The Park officials and the Tribe shall negotiate an agreement for the design, location, construction, and maintenance of a gathering structure in the Second Beach headlands overlooking for the benefit of Park visitors and the Tribe, if such a structure is proposed to be built.

(C) SOUTHERN LANDS EXEMPT.—All other land conveyed to the Tribe along the southern boundary of the Reservation under this section shall not be subject to any easements or conditions, and the natural conditions of such land may be altered to allow for the relocation of Tribe members and structures outside the tsunami and Quillayute River flood zones.

(D) PROTECTION OF INFRASTRUCTURE.—Nothing in this Act is intended to require the modification of the parklands and resources adjacent to the transferred Federal lands. The Tribe shall be responsible for developing its lands in a manner that reasonably protects its property and facilities from adjacent parklands by locating buildings and facilities an adequate distance from parklands to prevent damage to these facilities from such threats as hazardous trees and wildfire.

(h) EFFECT OF LAND CONVEYANCE ON CLAIMS.—

(1) CLAIMS EXTINGUISHED.—Upon the date of the land conveyances under subsections (d) and (e) and the placement of conveyed lands into trust for the benefit of the Tribe, any claims of

the Tribe against the United States, the Secretary, or the Park relating to the Park's past or present ownership, entry, use, surveys, or other activities are deemed fully satisfied and extinguished upon a formal Tribal Council resolution, including claims related to the following:

(A) LAND ALONG QUILLAYUTE RIVER.—The lands along the sections of the Quillayute River, starting east of the existing Rialto Beach parking lot to the east line of Section 22.

(B) SECOND BEACH.—The portions of the Federal or Tribal lands near Second Beach.

(C) SOUTHERN BOUNDARY PORTIONS.—Portions of the Federal or Tribal lands on the southern boundary of the Reservation.

(2) RIALTO BEACH.—Nothing in this section shall create or extinguish claims of the Tribe relating to Rialto Beach.

(i) GAMING PROHIBITION.—No land taken into trust for the benefit of the Tribe under this Act shall be considered Indian lands for the purpose of the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.).

The SPEAKER pro tempore. Pursuant to the rules, the gentleman from Washington (Mr. HASTINGS) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

The Quileute Indian Reservation is located along the coast of the Olympic Peninsula in my home State of Washington. It consists of approximately 880 acres and is home to about 375 residents. Most of the reservation is located within the flood zone, and much of the tribal infrastructure, including their school, elder center, and housing, is within the tsunami zone. Recent tsunamis in the Pacific clearly demonstrate the risk faced by the tribe and the need to move housing and infrastructure inland.

For the safety of this small tribe, legislation is needed that would transfer a few hundred acres from the vast Olympic National Park to the tribe. This will allow them to move their school and other structures to safer land away from the threat of frequent flooding and tsunami risk.

There are no park-owned facilities or trails in the transferred land, and there are few opportunities in this transferred land for park visitors. To expedite the passage of the key objective of this bill and to allow it to move forward promptly, the Natural Resources Committee deleted a potentially controversial 4,000-acre wilderness designation that is of no benefit to the tribe. The committee also added language borrowing transferred land from being used for gaming purposes, and

the tribe does not oppose this limitation.

I believe these two changes have removed all potential obstacles that could threaten the timely passage of this needed legislation that has been offered by my friend and the ranking member of the Appropriations Committee, Mr. DICKS. I urge the adoption of H.R. 1162, and I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I yield myself as much time as I may consume.

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

Mr. SABLAN. I rise in support of H.R. 1162, legislation sponsored by the esteemed ranking member of the Appropriations Committee, the gentleman from Washington (Mr. DICKS).

Events in Japan, Indonesia, and elsewhere have demonstrated the devastation that can be caused by tsunamis. The Quileute people live in a dangerous zone, and we fully support this legislation to allow the Quileute to move key facilities to higher ground.

I would note, however, that this version of H.R. 1162 is only half of the bill, as introduced. The Quileute, Mr. DICKS, the National Park Service, and other stakeholders had negotiated over many years a version of this legislation that not only provided safety for the Quileute but also sought to address the resource needs of Olympic National Park. The park portion of this bill was removed by the majority despite the fact that the bill represented a popular negotiated compromise. During consideration of this measure in the Natural Resources Committee, the chairman suggested that the park portion of the original bill be introduced as a second bill to be moved separately. Mr. DICKS has taken this advice, and we hope to see H.R. 3222 on the House floor in the very near future.

Mr. DICKS is to be commended for his diligent work on behalf of the Quileute people and Olympic National Park.

I urge adoption of H.R. 1162, and I reserve the balance of my time.

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

Mr. SABLAN. Mr. Speaker, I yield 5 minutes to the gentleman from Washington (Mr. DICKS), the esteemed ranking member of the Appropriations Committee.

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

Mr. DICKS. I rise to urge passage of H.R. 1162, the Quileute Tribe tsunami and flood protection bill.

I also want to thank the House Natural Resources Committee for its work in shepherding this bill to the floor today. And I am pleased that my good friend and colleague from Washington, Doc HASTINGS, the chairman of the Natural Resources Committee, is on the floor here today to manage this bill as well as the gentleman from the

Northern Mariana Islands. I appreciate their comments and their leadership on this, along with Mr. BISHOP and Mr. GRIJALVA.

The Quileutes are one of eight tribes living in the Washington State district that I represent here in Congress. Although the tribe's reservation at La Push is spectacularly beautiful, it also is a dangerous place to live. The threat of tsunamis is a harsh reality that the Quileute Tribe faces every day. The tribe lives on a one-square mile reservation along the Pacific coast of the Olympic Peninsula. Again, I cannot emphasize enough the breathtaking nature of their home.

The tribe has received much notice over the last few years due to the "Twilight" series of movies and novels. If you're not familiar with the "Twilight" phenomenon yourself, then I am sure that at least your children or grandchildren know about the Quileutes and their role in the "Twilight" world.

H.R. 1162 will provide land currently in Olympic National Park to the Quileute Tribe to enable the relocation of many facilities outside the tsunami zone. We need only look to the tragedy last year in Japan to see the loss of human life and horrific damage that tsunamis can cause.

Much of the Quileutes' infrastructure, including a day care center, the elder center, government offices, and Quileute tribal members' homes, are right in the path of a potential tsunami. This existential threat is compounded by damaging floods from the Quillayute River nearly every year.

The purpose of H.R. 1162 is to help the Quileutes move their buildings and people to safer land. The Olympic National Park would transfer land that is out of the tsunami zone to the tribe for the development of new infrastructure.

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Of the 275 acres the Park Service would provide the tribe for this safety purpose, 222 are currently designated as wilderness. The legislation would designate those 222 acres.

The legislation also settles a long-standing dispute between the Olympic National Park and the tribe over the northern boundary of the reservation. The resolution of this dispute benefits the tribe, the Park Service, and the general public. The park would provide 510 acres to the tribe to settle the dispute.

The bill would place into trust these two parcels as well as another piece of non-Federal land the tribe had acquired earlier. The bill also guarantees access for the public to some of the most beautiful Washington State beaches.

I must note, however, that I am disappointed that a provision of H.R. 1162 was taken from the bill when the Natural Resources Committee passed it last October. The legislation as introduced mitigated the loss of wilderness designation for the 222 acres to be

given to the tribe by designating other parcels already within Olympic National Park as wilderness. It was this provision designating new wilderness within the park that was removed. In response, I have introduced H.R. 3222 that would designate as wilderness those acres stripped from the underlying bill. The National Parks, Forest and Public Lands Subcommittee held a hearing on H.R. 3222 and other bills back in December, and I urge the committee to keep making progress on H.R. 3222.

In closing, I want to recognize the Quileute Tribe, its council and tribals chairs past and present, along with National Park Service Director Jon Jarvis and Olympic National Park Superintendent Karen Gustin for their hard work over many years to resolve this dispute and provide safer land for the tribe.

Again, I want to thank Congressman HASTINGS, the chairman of the Natural Resources Committee; and Todd Young and Todd Ungerecht of his staff. I want to thank National Parks, Forest and Public Lands Subcommittee Chairman ROB BISHOP and Jim Streeter of his staff. On the Democratic side, I want to thank ED MARKEY and the gentleman from the Northern Mariana Islands and their staff, Jeff Duncan and David Watkins, and Pete Mudaff on my staff.

In closing, I urge the House to pass H.R. 1162 to provide the Quileute Tribe a safer home along the Pacific Coast in Washington State.

Mr. HASTINGS of Washington. Mr. Speaker, I advise my friend I have no more requests for speakers if he is prepared to yield back.

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

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

I'm pleased that this legislation is moving forward. I know this has been something that has been worked on by my friend and colleague from Washington for some time, and I'm glad we have finally gotten this far. And hopefully now that it's a clean bill that really deals with the safety of the Quileute Tribe, which is the important part and that's the reason for the bill, I hope it can move very fast through this House and obviously through the Senate.

With that, I urge adoption of H.R. 1162, and I yield back the balance of my time.

Ms. RICHARDSON. Mr. Speaker, I rise today in support of H.R. 1162, which authorizes the transfer of lands within and around the Olympic National Park in the state of Washington. H.R. 1162 would incorporate specified federal lands within the Olympic National Park and specified land owned by the Quileute Tribe into the Quileute Indian Reservation, held in trust by the federal government.

The Quileute people and their reservation are in danger. Most of the reservation is located within the flood zone and most of the tribal infrastructure, including their school,

elder centers, and housing, is within the tsunami zone. This legislation will provide protection to the 375 residents of the Quileute Indian Reservation by transferring a few hundred acres from the vast Olympic National Park to the Tribe.

As a member of the Native American Caucus, I have worked with my colleagues in Congress to address the needs of Native Americans. This legislation will provide the Quileute Indian Tribe with approximately 275 acres of land currently located within the Olympic National Park and approximately 510 acres of land along the Quillayute River.

Mr. Speaker, the proposed land transfer will allow the people of Quileute Indian Tribe to relocate their schools and other structures to safer lands. Based on information from the Department of Interior, CBO estimates that H.R. 1162 would have no significant impact on the federal budget.

California is home to over one hundred federally recognized tribes. Tribes from my state and from other states such as the Quileute Indian Tribe from the state of Washington need protection from natural disasters such as tsunamis and floods.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 1162 and allow the Quileute Indian Tribe to relocate their people and reservation to safer land away from the frequent tsunami risk that threaten the Tribe.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 1162, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HASTINGS of Washington. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 5 o'clock and 3 minutes p.m.), the House stood in recess.

□ 1716

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 5 o'clock and 16 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 1734, CIVILIAN PROPERTY REALIGNMENT ACT

Mr. WEBSTER. Mr. Speaker, by direction of the Committee on Rules, I

call up House Resolution 537 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 537

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1734) to decrease the deficit by realigning, consolidating, selling, disposing, and improving the efficiency of Federal buildings and other civilian real property, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, an amendment in the nature of a substitute consisting of the text of the Rules Committee Print 112-11 shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

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

GENERAL LEAVE

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

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

There was no objection.

□ 1720

Mr. WEBSTER. Mr. Speaker, I rise today in support of this rule and the underlying bill.

House Resolution 537 provides for a structured rule for consideration of H.R. 1734, the Civilian Property Realignment Act.

The rule makes six amendments in order. Of these, five are Democrat-sponsored amendments and one is a Republican-sponsored amendment. The only amendments not made in order were either because of a lack of germaneness and/or they were duplicative in nature or the subject of other amendments.

H.R. 1734 has come to the floor under regular order. The applicable subcommittee held two hearings specifically on this bill and held an additional six hearings on the subject of Federal property consolidation. The subcommittee held a markup and subsequently passed the bill out by voice vote. The full committee also held a markup during which several amendments were considered before the bill was reported out of committee. Further, H.R. 1734 enjoys a bipartisan list of cosponsors.

The Civilian Property Realignment Act enjoys bipartisan support because it tackles an inherently bipartisan issue: making government work more efficiently in order to better safeguard taxpayer dollars.

The Federal executive branch agencies hold an extensive real property portfolio that includes 429,000 buildings and over 1 million total properties. In fact, the Federal Government is the largest owner and manager of real estate in our country.

The Office of Management and Budget in 2007 estimated that the Federal Government is holding \$18 billion in real property that it does not need. If we sold all excess Federal properties, the resulting proceeds could approach \$15 billion, on top of the annual savings reaped from reduced maintenance and operating costs.

These properties have been accumulated by the agencies over time and in many cases these agencies' missions have evolved over that period. As missions change, so agencies' needs also change. As a result, many properties that were once crucial have become less useful, or in some cases unneeded altogether.

According to the Congressional Research Service, in fiscal year 2009—the most recent data available—the government held 10,327 unneeded buildings and spent \$134 million annually to maintain them. According to Office of Management and Budget testimony delivered before Congress, the Federal Government has approximately 55,000 properties classified as “underutilized.” It costs taxpayers nearly \$1.7 billion annually to operate underutilized Federal buildings, according to the Government Accountability Office.

H.R. 1734 would establish an independent commission to make rec-

ommendations to Congress to better manage the inventory of Federal civilian real property. The commission, consisting of eight members appointed by the President, would report annually on its findings. Under the bill, within 6 months of enactment the commission would identify and recommend to the President and Congress the sale of at least five high-value Federal properties with an estimated fair market value of at least \$500 million. Both the President and Congress would have the opportunity to approve or disapprove of these recommendations. The President could transmit recommendations from the commission, with or without his approval, to Congress, where an up-or-down vote would take place under an expedited procedure.

H.R. 1734 is modeled after the base realignment and closure—BRAC—process and would require an examination of Federal civilian real properties across government, used and unused, and make decisions based on the best return to the taxpayer. Military installations, properties deemed essential for reasons of national security, and national parks are not subject to the commission's jurisdiction.

The cost-saving initiative would achieve a reduction in the size of the Federal Government real property inventory by selling or redeveloping underutilized properties, increasing the utilization rates of existing properties, and expediting the disposal of surplus properties.

Given the vast real estate holdings of the Federal Government, poor asset management and missed market opportunities cost the taxpayers significant sums of money. The Government Accountability Office has placed real property management on its list of “high risk” governmental activities, citing excess and underutilization of real property, deteriorating and aging facilities, unreliable data, and overreliance on costly leasing.

H.R. 1734, the Civilian Property Realignment Act, seeks to reduce the Federal Government's footprint, increase efficiency, and ultimately enhance stewardship of hard-earned taxpayer dollars. It isn't just about closing buildings. It's about looking at the taxpayers' assets and deciding whether or not they are being efficiently utilized. Given the realities of the current economy, this is the same type of belt-tightening taking place all over our Nation right now. It's time for our government to start leading by example.

Once again, Mr. Speaker, I rise in support of this rule and the underlying legislation. I encourage my colleagues to vote “yes” on both the rule and the underlying bill.

I reserve the balance of my time.

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

I rise in opposition to the structured rule. While the unemployment numbers are now at their lowest point in 3

years, the American people know that our economy is still teetering. That's why it's important for Democrats and Republicans to come together around commonsense proposals.

This underlying bill, the Civilian Property Realignment Act, stemmed from President Obama's proposal in his FY 2012 budget, and I'm glad that Congress is beginning its deliberative process on this important issue.

Currently, the Federal Government owns and manages over 1 million Federal buildings and structures—including many in my home State of Colorado—which costs over \$20 billion a year annually to operate and maintain. This bill seeks to ensure our government is a better steward of taxpayer dollars by improved utilization and management of surplus properties and the elimination and monetization of unnecessary assets to reduce our deficit.

Building on President Obama's proposal contained in his FY 2012 budget, this bill sets up a process to consolidate, sell, or exchange Federal Government assets it no longer needs. Sounds like common sense, but it hasn't been done yet. As the President identified, an estimated 14,000 buildings and structures are currently designated as excess properties. In essence, this legislation attempts to do with Federal Government property what the Department of Defense has successfully already done with its base closure and realignment program—BRAC—for military installations, an attempt to remove politics from the process so that effectively our Federal holdings can be streamlined and that money can be raised from properties that are no longer necessary for the operations of the Federal Government.

To accomplish this goal, this legislation sets up an independent Civilian Property Realignment Commission, which would recommend which Federal properties should be consolidated, sold, exchanged or redeveloped. The commission's downsizing recommendations would be subject to approval by the President and then by Congress before they could be implemented en masse.

The underlying legislation should be a strong bipartisan bill. Unfortunately, there are a number of last-minute considerations which are causing some contention between the two parties. And I understand that some language has been added, including contentious riders that were added without a hearing or a meeting of the Democratic side.

The current language, therefore, includes some offensive provisions that will jeopardize support on my side of the aisle, including a measure that would change Federal law to eliminate the preference homeless shelters receive, as well as a provision that waives compliance with the National Environmental Policy Act, or NEPA, part of the ongoing Republican agenda to gut environmental protections, but in this case, a policy waiver that has

nothing to do with trying to manage our Federal property.

The Federal public comment process needs to be in place when assets are transferred because they have important roles in communities. Whether it's urban, suburban, or rural, our comment process is a critical piece of ensuring that all stakeholders are taken into account. If there's a flaw with the NEPA comment process, or NEPA, fix it elsewhere, but not in the context of a bill that's supposed to streamline Federal Government holdings and allow us to sell off excess property.

Another problem with this bill is that the new programs funded under this bill are not funded. The non-partisan Congressional Budget Office estimates that this bill would cost \$68 million over the next 5 years. Now, some on the other side might argue that \$68 million isn't much money, but as a matter of principle it should have an offset. This violates the CutGo protocols and is an example of the majority spending money without saying where it's going to come from. So to be clear, this bill in its current form would increase our deficit by \$68 million. I think it would be relatively easy, in a bipartisan manner, to figure out where we can find \$68 million elsewhere in the budget to offset this so it doesn't go directly to the deficit.

In addition, the rule before us restricts the number of amendments to be considered and limits debate. During the Rules Committee last week, Democrats asked for an open rule so that all Members could offer amendments. A majority on that committee rejected an open process in favor of this restrictive rule.

□ 1730

The ranking member of the House Oversight Committee, Representative CUMMINGS, offered an amendment to ensure provisions of the Homeless Assistance Act would continue to apply. This was a germane amendment that would be allowed on the floor if this were an open rule, and yet it is blocked by this restrictive process.

That's one example of an amendment that was actually brought to the Rules Committee and dismissed by the majority. But what if this debate inspires a Member to offer other practical, commonsense amendments, including offset ideas to ensure that this doesn't increase our deficit?

Under this process before us, that Member's amendment will not be allowed, no matter how good or how bipartisan or how universal the support is for that amendment. Therefore, I urge a "no" vote on the rule.

I reserve the balance of my time.

Mr. WEBSTER. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. DENHAM).

Mr. DENHAM. Mr. Speaker, I rise in support of H.R. 1734. This has been a bipartisan bill all the way through. It's something we've worked on for well over a year now, including having the

President, OMB and the administration working directly with us on this bill. It is something that is important for the American taxpayer.

We have enough partisan divide here. To be able to find something that cuts waste, something that brings in revenue without raising taxes, and just a more efficient way of doing business is something that both Republicans and Democrats should agree on.

But certainly politics enters into many different situations. As of Friday, we had a bipartisan agreement. I was willing to accept all of the various amendments, including the amendment to NEPA, including the homeless amendment.

We've accepted the amendments on several different occasions. First, it was a \$2 million exemption for homeless to be able to grab a \$2 million piece of property. Then it was renegotiated to \$3 million, and then five million. Why the homeless would need a \$5 million piece of property is beyond me. But in the sense of bipartisanship, we were willing to agree to that.

So that amendment is still on the floor today. We still accept that amendment. We stand by our word. But the other side has decided to interject politics into this, and we will see how that works out in the future.

But the last issue I wanted to just touch on was clarifying an important point about the savings of this bill. This will generate significant savings, but I just wanted to touch on how CBO scores those savings.

First, the bill authorizes \$20 million for the commission itself, just to set up a commission, and \$62 million to fund relocation or cleanup costs that may be needed if one of these properties actually has some occupants in them. This \$82 million is subject to appropriations and requires Congress to approve a future appropriation.

Second, within the first 180 days the bill requires the commission to recommend at least five properties worth a minimum of \$500 million for sale.

When CBO scored this provision in the reported version of the bill, CBO said it would save at least \$160 million in the first 5 years. This requirement to sell at least \$500 million in property is still in the bill.

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

Mr. WEBSTER. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. DENHAM. However, since the bill was modified to require the approval of Congress before it can be implemented, CBO now says the savings will be scored on the future approval resolution, and not in this bill before us today. The savings that will be generated by this commission still exist. This will be scored at a later date.

Only in Washington, DC can you get rid of properties, get rid of the cost of maintaining these properties, have billions of dollars in revenue, actually create jobs in the redevelopment and

sale of the properties and still be able to argue against the savings.

Mr. POLIS. I would inquire if the gentleman from Florida has any remaining speakers.

Mr. WEBSTER. Mr. Speaker, we have no other presenters. We are ready to close.

Mr. POLIS. I will yield myself the balance of my time.

Mr. Speaker, I know that significant issues still remain with the Civilian Property Realignment Act in its current form. The gentleman discussed the potential savings from this bill.

To be clear, this is a transfer of items that are already in the asset column of the Federal Government. It's not the creation of new value or new money out of nothing. It simply turns assets into cash.

We need cash. We have a large deficit to cover. It makes sense to sell excess properties, but this money doesn't come from nowhere. Once those properties are sold, those will no longer be on the ledgers of the Federal Government.

Now, it does save significant operating capital and maintenance of these unnecessary properties; but, again, I think common sense would indicate that if the commission costs \$20 million to set up, with the various people involved with this process, we should specify where that money is coming from in the bill. And I think that there would be a way to do that on a bipartisan basis.

Given all the concerns that remain with this bill regarding how it's paid for, the homeless situation, and the NEPA, the environmental review protections, we should be engaging in an open process, not one that limits and shuts down debate.

The American people are frustrated that this Congress refuses to consider bipartisan-supported balanced bills that would stimulate job growth in our country and restore fiscal responsibility.

We can only reignite the American Dream and reinvigorate our economy by strengthening the middle class and encouraging innovation. President Obama has introduced a package to spur small business growth and startups, which includes many of the proposals previously offered by Members on both sides of the aisle with bipartisan support. And yet, to the dismay on many on my side of the aisle, this Congress has yet to consider these measures that will strengthen the middle class and help small business grow.

I do applaud the majority for beginning to take up the process that President Obama has put forth in his fiscal year 2012 budget of selling off excess Federal property. There just remain a few I's to dot and a few T's to cross to ensure that this important piece of legislation can garner the support of the bipartisan majority in this body.

There remains much work to be done on the large issues, including enacting a comprehensive jobs plan, extending

the payroll tax cuts and unemployment insurance, ensuring seniors have access to their doctors under Medicare, comprehensive tax reform, and putting our fiscal house in order by passing a bold and balanced plan to reduce the deficit.

Selling off excess Federal assets and making sure that the Federal Government doesn't own or have to maintain or operate more than we need to is a small, but critical, piece of the overall equation. This Congress has the opportunity to get it right through a deliberative process.

But because the majority has restricted debate on the underlying bill, I cannot support this rule, and I urge my colleagues to join me in voting "no" on the rule.

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

The cost of real property to the Federal Government—costs are significant, and most agencies do not have the incentives to minimize those costs. Properties sit vacant and woefully underutilized, not only costing taxpayers billions of dollars, but often are eyesores in the local communities, and steal property away from the ad valorem revenues of local communities.

Even so, despite the current budget climate, many agencies continue to seek more space than is necessary, reducing efficiency and increasing cost. Better management of Federal property presents an opportunity to reduce expenditures and increase revenues.

H.R. 1734 is a bipartisan measure. It seeks to address a problem that has become a hallmark of our bloated, inefficient Federal bureaucracy. H.R. 1734 is intended to bring an independent process outside the bureaucratic red tape to the management of real property owned by the Federal Government. It will reduce waste, increase efficiency of the Federal Government, and produce significant savings for the taxpayer.

With deficits over \$1 trillion in the Federal Government, we simply can't afford to sit on money-losing properties and empty Federal buildings any longer. I ask my colleagues to join me in voting in favor of the rule and passage of the underlying bill.

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

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 38 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

H. Res. 537, by the yeas and nays;
Motion to suspend the rules on H.R. 1162, de novo.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

PROVIDING FOR CONSIDERATION OF H.R. 1734, CIVILIAN PROPERTY REALIGNMENT ACT

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 537) providing for consideration of the bill (H.R. 1734) to decrease the deficit by realigning, consolidating, selling, disposing, and improving the efficiency of Federal buildings and other civilian real property, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 233, nays 155, not voting 44, as follows:

[Roll No. 34]

YEAS—233

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

Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luettkemeyer
Lummis
Lungren, Daniel
E.

Manzullo
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Petri
Pitts
Platts
Pompeo
Posey
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Ros-Lehtinen

Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
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 (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

Slaughter
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney

Tonko
Tsongas
Velázquez
Vislosky
Walz (MN)
Wasserman
Schultz

Waters
Watt
 Waxman
Welch
Wilson (FL)
Woolsey

Bonner
Buerkle
Campbell
Cardoza
Clyburn
Conyers
Ellison
Engel
Filner
Grijalva
Gutierrez
Insee
Johnson (IL)
Kingston
Kinzinger (IL)

Lipinski
Lowey
Lynch
Mack
Marchant
McNerney
Meeke
Miller (NC)
Moran
Nadler
Neal
Owens
Pascrell
Paul
Payne

NOT VOTING—44

□ 1856

Mr. BISHOP of New York, Ms. WASSERMAN SCHULTZ, Mr. SHERMAN, Ms. HAHN, Ms. HOCHUL, Messrs. RUPPERSBERGER and McDERMOTT changed their vote from “yea” to “nay.”

Mr. BOREN changed his vote from “nay” to “yea.”

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

A motion to reconsider was laid on the table.

Stated against:
Mr. FILNER. Mr. Speaker, on rollcall 34, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “nay.”

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 658) “An Act to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.”

QUILEUTE TRIBE TSUNAMI PROTECTION ACT

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

There was no objection. The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 1162) to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes, as amended.

The Clerk read the title of the bill. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, as amended.

The question was taken. The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it. Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered. The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 381, nays 7, not voting 44, as follows:

[Roll No. 35]

YEAS—381

Ackerman	Courtney	Hastings (WA)
Adams	Cravaack	Hayworth
Aderholt	Crawford	Heck
Akin	Crenshaw	Heinrich
Alexander	Critz	Hensarling
Altmire	Crowley	Herger
Amodel	Cuellar	Herrera Beutler
Andrews	Culberson	Higgins
Austria	Cummings	Himes
Baca	Davis (CA)	Hinchee
Bachmann	Davis (IL)	Hinojosa
Bachus	Davis (KY)	Hirono
Baldwin	DeFazio	Hochul
Barletta	DeGette	Holden
Barrow	DeLauro	Holt
Bartlett	Denham	Honda
Barton (TX)	Dent	Hoyer
Bass (CA)	DesJarlais	Huelskamp
Bass (NH)	Deuth	Hultgren
Becerra	Diaz-Balart	Hunter
Benishek	Dicks	Israel
Berg	Dingell	Issa
Berkley	Doggett	Jackson (IL)
Berman	Dold	Jackson Lee
Biggert	Donnelly (IN)	(TX)
Bilbray	Doyle	Jenkins
Bilirakis	Dreier	Johnson (GA)
Bishop (GA)	Duffy	Johnson (OH)
Bishop (NY)	Duncan (SC)	Johnson, E. B.
Bishop (UT)	Duncan (TN)	Johnson, Sam
Black	Edwards	Jones
Blackburn	Ellmers	Jordan
Blumenauer	Emerson	Kaptur
Bono Mack	Eshoo	Keating
Boren	Farenthold	Kelly
Boswell	Farr	Kildee
Boustany	Fattah	Kind
Brady (PA)	Fincher	King (IA)
Brady (TX)	Fitzpatrick	King (NY)
Braley (IA)	Flake	Kissell
Brooks	Fleischmann	Kline
Broun (GA)	Fleming	Kucinich
Brown (FL)	Flores	Labrador
Buchanan	Forbes	Lamborn
Bucshon	Fortenberry	Lance
Burgess	Fox	Landry
Burton (IN)	Frank (MA)	Langevin
Butterfield	Franks (AZ)	Lankford
Calvert	Frelinghuysen	Larsen (WA)
Camp	Fudge	Larson (CT)
Canseco	Gallely	Latham
Cantor	Garamendi	LaTourette
Capito	Gardner	Latta
Capps	Garrett	Lee (CA)
Capuano	Gerlach	Levin
Carnahan	Gibbs	Lewis (CA)
Carney	Gibson	Lewis (GA)
Carson (IN)	Gingrey (GA)	LoBiondo
Castor (FL)	Gohmert	Loebsack
Chandler	Gonzalez	Lofgren, Zoe
Chu	Gosar	Long
Ciilline	Gowdy	Lucas
Clarke (MI)	Granger	Luettkemeyer
Clarke (NY)	Graves (GA)	Lujan
Clay	Graves (MO)	Lummis
Cleaver	Green, Al	Lungren, Daniel
Cohen	Green, Gene	E.
Connolly (VA)	Griffin (AR)	Maloney
Cooper	Grimm	Manzullo
Costello	Guinta	Marino
Courtney	Guithrie	Markey
Critz	Hahn	Matheson
Crowley	Hall	Matsui
Cuellar	Hanabusa	McCarthy (CA)
Cummings	Hanna	McCarthy (NY)
Davis (CA)	Harper	McCaul
Davis (IL)	Harris	McClintock
DeFazio	Hartzler	McCollum
DeGette	Hastings (FL)	McCotter
DeLauro		
Deuth		

McDermott	Rehberg	Smith (NE)
McGovern	Reichert	Smith (NJ)
McHenry	Renacci	Smith (TX)
McIntyre	Ribble	Southerland
McKeon	Richardson	Speier
McKinley	Richmond	Stark
McMorris	Rigell	Stearns
Rodgers	Rivera	Stivers
Meehan	Roby	Stutzman
Mica	Roe (TN)	Sullivan
Michaud	Rogers (AL)	Sutton
Miller (FL)	Rogers (KY)	Terry
Miller (MI)	Rogers (MI)	Thompson (CA)
Miller, Gary	Rokita	Thompson (MS)
Miller, George	Ros-Lehtinen	Thompson (PA)
Moore	Roskam	Thornberry
Mulvaney	Ross (AR)	Tiberi
Murphy (CT)	Ross (FL)	Tierney
Murphy (PA)	Royce	Tipton
Myrick	Runyan	Tonko
Napolitano	Ruppersberger	Tsongas
Neugebauer	Rush	Turner (NY)
Noem	Ryan (OH)	Turner (OH)
Nugent	Ryan (WI)	Upton
Nunes	Sánchez, Linda	Velázquez
Nunnelee	T.	Visclosky
Olson	Sanchez, Loretta	Walberg
Olver	Sarbanes	Walden
Pallone	Scalise	Walsh (IL)
Pastor (AZ)	Schakowsky	Walz (MN)
Paulsen	Schiff	Wasserman
Pearce	Schilling	Schultz
Pelosi	Schmidt	Waters
Perlmutter	Schock	Watt
Peters	Schrader	Waxman
Peterson	Schwartz	Webster
Petri	Schweikert	Welch
Pingree (ME)	Scott (SC)	West
Pitts	Scott (VA)	Westmoreland
Platts	Scott, Austin	Whitfield
Polis	Scott, David	Wilson (FL)
Pompeo	Sensenbrenner	Wilson (SC)
Posey	Serrano	Wittman
Price (GA)	Sessions	Wolf
Price (NC)	Sewell	Womack
Quayle	Sherman	Woolsey
Quigley	Shimkus	Yoder
Rahall	Shuster	Young (FL)
Rangel	Simpson	Young (IN)
Reed	Slaughter	

NAYS—7

Amash	Huizenga (MI)	Woodall
Goodlatte	Hurt	
Griffith (VA)	Palazzo	

NOT VOTING—44

Bonner	Lipinski	Pence
Buerkle	Lowey	Poe (TX)
Campbell	Lynch	Reyes
Cardoza	Mack	Rohrabacher
Clyburn	Marchant	Rooney
Conyers	McNerney	Rothman (NJ)
Ellison	Meeks	Roybal-Allard
Engel	Miller (NC)	Shuler
Filner	Moran	Sires
Grijalva	Nadler	Smith (WA)
Gutierrez	Neal	Towns
Inslee	Owens	Van Hollen
Johnson (IL)	Pascarell	Yarmuth
Kingston	Paul	Young (AK)
Kinzinger (IL)	Payne	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1903

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 35, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Speaker, on Monday, February 6, 2012, I had a previously scheduled meeting with business leaders in Champaign County, Illinois. As a result, I am unable to attend votes this evening. Had I been present, I would have voted "aye" on H.R. 1162, the New York City Natural Gas Supply Enhancement Act; "aye" on H.R. 1162, to provide the Quileute Indian Tribe Tsunami and Flood Protection Act; and "aye" on the H. Res. 537, the Rule providing for consideration of H.R. 1734, the Civilian Property Realignment Act.

PERSONAL EXPLANATION

Mr. PASCARELL. Mr. Speaker, I missed the two rollcall votes today.

Had I been present, I would have voted "nay" on rollcall vote No. 34, on H. Res. 537—Rule providing for consideration of H.R. 1734—Civilian Property Realignment Act. Additionally, had I been present, I would have voted "aye" on rollcall vote No. 35, on H.R. 1162—To provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3581, BUDGET AND ACCOUNTING TRANSPARENCY ACT OF 2012

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 112-388) on the resolution (H. Res. 539) providing for consideration of the bill (H.R. 3581) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to increase transparency in Federal budgeting, and for other purposes, which was referred to the House Calendar and ordered to be printed.

CIVILIAN PROPERTY REALIGNMENT ACT

Mr. DENHAM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1734.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 534 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1734.

□ 1903

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1734) to decrease the deficit by realigning, consolidating, selling, disposing, and improving the efficiency of federal buildings and other civilian real property, and for other purposes, with Mr. WOODALL in the chair.

The Clerk read the title of the bill.

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

The gentleman from California (Mr. DENHAM) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 30 minutes.

The Chair recognizes the gentleman from California.

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

The purpose of H.R. 1734 is to shrink the Federal real property footprint and save billions of taxpayer dollars by selling what we don't need and better utilizing what we keep. In fiscal year 2009 alone, the Federal Government wasted more than \$1.7 billion in operating underused properties. Unfortunately, under existing law, solving this problem is not easy—the process is too cumbersome and congested with red tape.

The administration has tried but has realized it cannot achieve major savings without reform. As a result, H.R. 1734 includes a bipartisan solution to this problem—establishing a civilian BRAC-like process. However, unlike BRAC, the purpose of H.R. 1734 is to save money, and the commission would have to recommend actions that would result in net savings. The administration believes there are several billion dollars worth of high-value properties that could be sold quickly, and I agree with their assessment. Federal real property has been on GAO's high-risk list for nearly a decade now, and our committee, which oversees public buildings, has seen the waste firsthand.

The amended bill creates a nine-member commission that would review Federal properties and recommend specific actions to reduce the Federal building inventory and, more efficiently, house Federal employees. The commission could recommend property sales, consolidations, redevelopments, or other property actions. The bill does not apply to military bases, national parks and recreation areas, or a variety of other Federal properties. The administration would have 30 days to reject the recommendations or forward them to Congress for an up-or-down vote. If approved, agencies would be required to implement them.

In conclusion, let me say that both Republican and Democrat administrations have tried to work within the system to get rid of unneeded Federal property and have failed. Both parties know the process is broken and have proposed an independent BRAC-like commission to solve the problem. I believe this bill is a big step in the right direction, and I thank you for your consideration.

I reserve the balance of my time.

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

I rise in opposition to H.R. 1734, the Civilian Property Realignment Act.

Both Democrats and Republicans agree that we need a system to dispose of and consolidate excess Federal property. I have worked diligently with the

chairman for such a bill for most of this year. However, the bill before us does not reflect the bipartisan compromise I agreed to. Moreover, I have just learned that the President also opposes the bill, and apparently, it does not even reflect a compromise among Republicans.

I opposed this bill in the Transportation and Infrastructure Committee, and it passed on a party-line vote. The bill before us today is essentially the same bill that I opposed at the Transportation and Infrastructure Committee markup. Shortly after that markup, the Oversight and Government Reform Committee, on which I also serve, approved a bipartisan alternative bill by voice vote, which I supported because it did not have the issues I have with the bill before us today.

Why was the Transportation and Infrastructure bill rushed to the Rules Committee on Friday and quickly brought to the floor today?

Why didn't we take the time to craft a bill that could pass the House with bipartisan support and that could stand a chance to pass in the Senate?

□ 1910

Most importantly, Mr. Chairman, why isn't the bipartisan bill that I agreed to before us on the floor this evening? When I testified before the Rules Committee on Friday, I indicated that I would support the bill if the protections in existing law for the environment and the homeless were included in the bill. These protections are not included in the bill.

The Rules Committee reported out a bill with no self-executing amendments. Instead, they made several amendments—including mine—in order for full consideration. I could have done that all along. There are no assurances whatsoever that my amendments would be adopted on this floor. The only way to ensure that my amendments were included in the bill would have been for the Rules Committee to have adopted a rule that made my amendments self-executing and, therefore, a part of the bill before us today.

I will not stand here today to support a bill I've consistently opposed at Transportation and Infrastructure Committee markups on a hope and prayer that my amendments would have been adopted on the floor. I will not offer, as amendments, provisions I had every reason to expect would have been a part of the bill reported out of the Rules Committee. To offer my amendments separately is to greatly risk their defeat while the bill before us, which I oppose, still passes. I will not be used to give bipartisan cover to this bill or to paper over a divide among Republicans.

The subcommittee that I serve on had two excellent hearings on the creation of the Civilian Property Realignment Commission. I support the original bipartisan idea of assembling a Civilian Property Realignment Commis-

sion, but there are several portions of H.R. 1734 before us on the floor right now that do not reflect a revised bipartisan bill. I have consistently attempted to make the needed changes to this bill, and they were unacceptable at the full committee markup and then at Rules, where my changes were not incorporated into the bill on this floor today.

As subcommittee ranking member, I was not informed that if I wanted the changes in the bill, I would have to offer my amendments separately on the floor. Who would have agreed to that as a bipartisan compromise?

I have been consistent in offering amendments to this bill to eliminate the waiver of the National Environmental Policy Act, or NEPA, and the inclusion of a review of excess Federal property for homeless service providers and other public benefit conveyances by the Civilian Property Realignment Commission that would have been created by this bill.

Curiously, the chairman now brings to the floor his own amendment concerning homeless providers which mirrors the homelessness section of the amendment assigned to me, but he does not include in his amendment the NEPA provision section of my amendment to which he and I agreed in order to reach a compromise.

The bill, as it stands, severely limits the review of Federal property for a possible transfer to homeless providers and other public benefit conveyances by the Civilian Property Realignment Commission. By bypassing McKinney-Vento in the disposal process, the bill unnecessarily reduces the pool of Federal properties available for transfer to homeless service providers. In these difficult times, extinguishing the right of first refusal for homeless providers would be a severe blow to a sector that has already had to contend with a huge downturn in charitable giving during the recent recession. The experience, moreover, with homeless service providers is that they take only the smallest properties. And I had already agreed to shorten the time period for providers to claim properties.

Secondly, the bill, as reported, would waive the application of the National Environmental Policy Act to some actions of the commission which I have always strongly opposed. Section 18(b) waives compliance with NEPA for the actions of the President, the commission, or any Federal agency when considering any of the commission's recommendations, except during the process of property disposal and during the process of relocating functions from a property being disposed of or realigned to another location.

It is important to carefully conduct the environmental review on any decision to close, relocate, or reconfigure a Federal facility in time for the commission to consider the full implications of its actions. The current language precludes a full review of the actions until after the decision to sell or

dispose of a piece of Federal property has already been made. This problem could have easily been fixed by including language that required agencies to submit information about the environmental conditions of a building and any information that the agency might have had about the potential impacts to the environment if a property was disposed of, consolidated, or redeveloped. Therefore, I must oppose the bill before us, and I urge opposition until a bipartisan base bill reflecting the issues I have discussed is presented on the floor.

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

Mr. DENHAM. Mr. Chairman, just to quickly respond, let me first say thank you to the ranking member of the subcommittee. We have worked on this bill for a year. We agreed on language. We accepted the administration's language and worked with OMB on making sure that this was a bill that not only passed with bipartisan support but was something that the Senate would welcome and the President would sign. So it's been a good year. We've worked very well together, I think, on the issue up until this point.

And I know that it became somewhat contentious in committee because we had several different properties listed in the bill to help pay for and make sure that this was a pay-as-you-go bill. We pulled those out in an effort to create bipartisanship and to make sure that those issues that the other side of the aisle wanted addressed were addressed, but we went a step further.

As the ranking member of the committee asked for several different amendments, we agreed to those amendments. The environmental issue, we agreed to her amendment. Even though OMB had suggested that they didn't want lawsuits to apply, we went ahead and, in a sense of bipartisanship, wanted to agree to the ranking member's amendment on this. As well, the homeless, we agreed to a \$2 million exemption to make sure the homeless were well taken care of. That was changed to \$3 million. We agreed to that. It was changed to \$5 million. We agreed to that as well, even though I can't imagine the homeless wanting to utilize a \$5 million piece of property—it seems somewhat excessive—but in a true spirit of bipartisanship, we agreed.

I keep my word. I will continue to support the ranking member's amendment on the floor today. As well, I have included it in my amendment. I stand by my word, and I hope others on this floor would do the same.

At this time, Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. SHUSTER), the former chairman of the subcommittee.

□ 1920

Mr. SHUSTER. I thank the gentleman from California for yielding.

I do stand here as the former chairman of the Economic Development, Public Buildings and Emergency Management Subcommittee who served

alongside the distinguished delegate from the District of Columbia. For the years I was chairman, we worked very well together, and so it is a great disappointment that I come to the floor tonight when we thought we had an agreement. If fact, we did have an agreement. The chairman of the subcommittee and the chairman of the full committee were willing to accept the gentlelady's amendment and put it in the bill. But yet here we are today turning this into a partisan bill, which as I said is very disappointing. She said she couldn't come to the floor just on hope. She had more than hope; she had the word of the chairman of the subcommittee and the word of the chairman of the full committee.

So I am here tonight in strong support of the Civilian Property Realignment Act. There are immediate savings: a savings up to \$1 billion a year this year alone, and \$15 billion over the next 10 years. It reduces the size of government. The commission was tasked with literally reducing the Federal footprint.

And as we know, we have an example right down on Pennsylvania Avenue. The Old Post Office building is going to be put up for a long-term lease. We've got some of the premier hotel operators in the world that want to turn that into a first-rate premier hotel right on Pennsylvania Avenue. Whether it's the Waldorf Astoria or the Marriott or the Trump organization, they all want to take that and immediately turn it into a premier hotel. There will be construction jobs, jobs working in the hotel for the long term, so it's really unfortunate that this bill is going to be made partisan this evening.

The bill establishes a real property commission, a nine person Civilian Property Realignment Commission that will serve to consolidate the footprint, maximize the utilization rate of Federal buildings and facilities, reduce the reliance on costly leased space, sell or redevelop high-value assets that are underutilized—as we talked about, the old Post Office Building. It reduces the operating and maintenance costs of Federal civilian real properties through the realignment of other real properties. It reduces redundancy, overlap, and costs associated with field offices. It creates incentives for Federal agencies to achieve greater efficiency in the inventories of real property the Federal Government has. It facilitates and expedites the sale or disposal of unneeded civilian properties. And it assists Federal agencies in achieving the government's sustainability goals by reducing excess space, inventory, energy consumption, as well as by leveraging new technologies.

As the former chair of this committee, I held hearings about the Federal courthouses. We have overbuilt Federal courthouses in many places in this country for years. For years we've done that. This is going to take a step in reducing what we've been doing and consolidating and doing things that are

appropriate and proper to save the taxpayers' money.

It takes the politics out of the process. It provides for expedited review and up-or-down consideration of the commission's recommendations, just like the BRAC process.

Congress would have the opportunity to disapprove of the committee's recommendations en bloc only, not in piecemeal, which is ensuring that politics will be removed from this process.

It provides for a one-time appropriation of \$82 million to fully offset from the GSA's building and acquisition amount, after which proceeds from the sale will be used to repay the Treasury.

The CHAIR. The time of the gentleman has expired.

Mr. DENHAM. I yield the gentleman another 1 minute.

Mr. SHUSTER. I thank the gentleman.

It deals exclusively with public properties—military installations, properties deemed essential for reasons of national security, and national parks are not subject to this jurisdiction.

Again, I come to the floor tonight with deep disappointment in the ranking member, who for so many years has worked in a bipartisan way on this subcommittee. Text was available since December, so it's no surprise. The subcommittee chairman and full committee chairman agreed to accept her amendment in its entirety, and most importantly, and something that's lacking in Washington today and lacking in Congress, is people not keeping their word, and the chairman of the subcommittee is keeping his word, which is extremely important in this whole process.

I urge all of my colleagues to support H.R. 1734, the Civilian Property Realignment Act.

Ms. NORTON. Mr. Speaker, I yield myself 2 minutes.

I hope the gentleman is not implying that I do not keep my word, and let me be clear what my word was. I gave my word that I would support a bipartisan bill, not that I would support the opportunity to offer amendments on the floor.

The gentleman knows quite well that the NEPA amendment is an amendment that his side generally does not support. Let me be plain. They generally don't support NEPA. The reason that the gentleman was willing to somehow come forward with what would appear to be a redundant amendment on homelessness—since mine already had homelessness in it—is because he wanted to separate himself from the NEPA amendment, and he knows full well that I would never support his bill without the NEPA provisions that I have spent months—months—changing.

This is a tragic collapse of what had been a bipartisan process until we went to the Rules Committee, when somebody made it clear, when somebody made it clear—and I don't know who it was—that this bill could be brought

forward, the very bill I voted against, leaving it to this Member to take her chances that the other side of the aisle would support an amendment of the kind they have resolutely refused to support on the floor but that she believed that because a compromise had been worked out with the chairman, they might on this occasion support. I keep my word as well.

I yield 3 minutes to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. I thank the gentlelady for yielding to me, Mr. Speaker, and I rise in opposition to H.R. 1734, the Civilian Property Realignment Act.

Although I support the efforts to improve the process used to dispose of Federal property, I believe in its current form this legislation inappropriately limits the access that service providers for the homeless have traditionally had to surplus Federal property.

Current law requires that all Federal surplus properties be considered for use by entities that provide assistance for the homeless. This legislation would create a BRAC-like commission to dispose of unused Federal property, and would require a majority vote of this commission before any specific property could be considered for homeless assistance.

This provision is misguided and should have been eliminated before this legislation reached the floor. I submitted to the Rules Committee a commonsense amendment that would have fixed this problem. My amendment would have ensured that section 501 of the McKinney-Vento Homeless Assistance Act, which provides for the discounted conveyance of surplus Federal property to homeless assistance providers, would continue to apply to all properties approved for disposal by the commission established by H.R. 1734.

Unfortunately, my amendment was not made in order. There is no evidence that the current process for reviewing properties for use by homeless assistance providers has slowed property disposals. Indeed, more than 14,000 properties have completed Title V reviews and remain on the government's books awaiting disposal.

According to the National Center on Family Homelessness, the number of homeless children in America increased by more than 448,000 from 2007 to 2010 due to the financial crisis. Approximately 1.6 million children—1 in 45 children—were homeless in 2010, a 38 percent increase over the level of child homelessness in 2007.

With access to surplus Federal properties, homeless assistance providers can provide housing, support services, and employment assistance to help the homeless get back on their feet. We should not make careless alterations to the McKinney-Vento program.

I understand the gentlelady from the District of Columbia plans to offer an amendment that would require the Secretary of the Department of Housing and Urban Development to apply

section 501 of McKinney-Vento to the extent practicable. If she does, I would support that.

This is a step in the right direction, and I commend her efforts. But there should be no limitations on the size and value of the properties that should be subject to review for potential use by homeless assistance groups. For that reason, I cannot support this legislation so long as it contains provisions that would be harmful to the homeless and would reduce resources available to homeless assistance providers.

I urge Members to oppose H.R. 1734.

Mr. DENHAM. Mr. Speaker, just to reiterate one more time, I support the gentlelady's amendment. I look forward to voting on it as long as she brings it up. We support the homeless in this bill. We agreed to it in Rules. We still support it today, and there will definitely be sufficient votes on this side of the aisle if she decides to bring it up. And you know what? If it doesn't pass, then vote against the bill. But if you believe in the homeless issue, then put your amendment up and let's have the votes on it.

□ 1930

At this time, Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. DIAZ-BALART), also a former subcommittee chairman.

Mr. DIAZ-BALART. It was a privilege for 2 years to be the ranking member of this subcommittee, and I will tell you that this subcommittee has never been a partisan subcommittee, and I commend Chairman DENHAM for keeping that tradition of focusing on the issues and working with both sides of the aisle to try to get good products without getting into this partisan melee. So I commend the chairman for continuing in that tradition. He's done so in a marvelous way.

And here's another example: he sat down with the ranking member, and they worked out all these issues. The chairman actually went to the Rules Committee, testified in the Rules Committee in favor of making these amendments, the ranking member's amendments, so that they would be in order. Lo and behold, the Rules Committee did what both of them, in a bipartisan way, asked for. They allowed for those amendments to be in order.

Now, I have the highest admiration and respect for the ranking member. I have worked very closely with her, but I'm a little bit, frankly, intrigued. So the ranking member now says, well, if her amendments that the chairman asked to be made in order, the amendments that he supported, that he continues to support, that he says that he supported, that he supported in the Rules Committee, she says if those amendments don't pass, well, then she would vote against the bill, so therefore she's not going to bring up the amendments. Excuse me?

What usually happens is, heck, you bring up amendments even if the rank-

ing member or the chairman doesn't agree with you. But if you have the agreement of the chairman of the committee, he's here again stating it, who's worked with you the entire process, the chairman of the committee helped you get those amendments made in order in the Rules Committee, they come to the floor made in order, here they are ready to discuss, and then you say, no, now I'm not going to put up the amendments because if they don't pass, now I'll vote against the bill.

I agree with the chairman. Put the amendments up. If the amendments don't pass, even with the support of the chairman and the ranking member, then there's good reason for the ranking member to vote against it. But to withdraw an amendment when you have everybody's support, when you are pretty much guaranteed—

The CHAIR. The time of the gentleman has expired.

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

Mr. DIAZ-BALART. You're pretty much guaranteed as much as you are in this process that they're going to pass because you have the ranking member of one party and the chairman who has worked with the ranking member, they both agree, they're noncontroversial, they're ready to go, and, all of a sudden, the ranking member pulls them back and says, for some reason, I'm going to pull them back if they don't pass, I'm going to vote against the bill, well, bring them up. If they don't pass, vote against the bill. But we won't know in the democratic process if an amendment is going to pass even if the chairman and the ranking member agree with it until you bring it up.

So I would respectfully suggest that the ranking member, whom I admire, just bring up the amendments. The chairman has supported them in the Rules Committee, and he's supporting them now. Bring them up. Let's hopefully work on getting the votes because he is working with you to try to get the votes. If they don't pass, vote against it. But the chances are they're going to pass. Let's let the democratic process go forward.

And, again, I commend the chairman for keeping up the tradition of not bogging down in partisan politics. Mr. Chairman, you are to be commended for that. Thank you, sir.

Ms. NORTON. I will take such time as I may require.

I wish that the chairman—he and I have had a very cordial and an amicable relationship. I only wish that he could guarantee that my amendments would, in fact, pass. I'm afraid that, watching his caucus in operation for a full year when they could not even agree whether or not the United States Government should go into default, I can't blame him for not being able to guarantee they will pass. But let me say why taking my chances that they would pass, even given his good faith hoping they would pass, is not enough.

If he, in fact, wanted to make sure that the amendment passed, then he, of course, would be on the amendment. Instead, he does something curious indeed. He looks at my amendment, dissects it, takes the part of the amendment that he regards as less controversial—and on his side of the aisle—both parts will be controversial, but the least controversial part—and he says, I take this part, it's exactly like the homeless part of the so-called Norton amendment, but the other part that I testified in Rules Committee he is not identified with that amendment on this floor.

Now, I ask Members, what would you think if the chairman had gone with you to Rules saying he supported the amendment, and then when we got to the floor was willing to stand up—sorry—went to the trouble of pulling out one section of my amendment only to claim as his own? Why wouldn't he simply embrace my amendment?

Worse, why wouldn't he have made sure that this was a bipartisan bill so that I would not be put in this position? And this is important to understand. If I bring up my amendment separately and it goes down, what will be before the House is essentially the bill I voted against in the Transportation and Infrastructure Committee. Do I look like a fool?

I voted against the bill that is on the floor today. In all good faith, the chairman cannot guarantee that the full bill with the changes that he and I agreed to will be the bill that, in fact, emerges here this evening. In fact, let me be even more blunt. What is more likely to emerge here this evening is the original bill that I, in fact, opposed on the Transportation and Infrastructure Committee. The only way to make sure that my major objection, which was to NEPA, is included in the bill would have been for this bill to come forward with what I agreed to in the bill already. For me to have to come to the floor to beg that a part of this bill which was central to my agreement to support it now get a vote, especially from a side of this Chamber which has consistently voted against sections like the section that is at issue here, is to defy—is not to understand how to put together a compromise.

If you have a compromise and you come to the floor, you don't take out part of what the compromise was about, leaving the other part so that she can fend herself on the floor knowing full well that the chances of getting that part of the amendment passed are, based on past experience, are not very great.

So the reason I oppose it is because I believe that perhaps, and I don't know if other amendments on the Democratic side would be accepted or not, but I believe that as it now stands, the bill will look essentially like the bill that I spent all year opposing because my major reasons for opposing it have not been incorporated in the bill that will be the final bill voted on. And if I

were to depend only on an amendment on this floor to get this provision, which has always been controversial on their side in the bill, then I don't think there's anybody on that side would guarantee that on their side my amendment with the NEPA provision would, in fact, pass.

In that event, what I would be left with is the very bill that I have voted against for an entire year, and that is why I object to the way in which this bill has been handled.

I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, we're talking a lot around this issue. The gentlelady wants a guarantee. Let me give her a guarantee. She can bring her amendment up right now; we'll do it on a voice vote. It will be in the text of the bill within 30 minutes, and that is exactly what we will be voting on tomorrow.

It's very simple. We have the votes. We want the amendment. We want the Democrat support and want this to be a bipartisan bill. So all she has to do is bring up the amendment right now, we'll voice vote it, and it will be part of the bill. So now really the question is, do you or don't you want the bill?

Ms. NORTON. I want the bill you and I agreed upon, Mr. Chairman, and that was the bill that had NEPA in it and that had homeless in it.

And let me ask you, why did you come forward with an amendment that only has the homeless in it, that is the exact mirror image of the homeless section of my bill, but you did not include the NEPA section?

□ 1940

Mr. DENHAM. Reclaiming my time, I have a second amendment just in case, unfortunately, trust leaves this room. In the unfortunate case that somebody does not offer their amendment, I've got my own. But I am happy to withdraw my amendment and voice vote her amendment right here so it's in the bill and we have a bipartisan agreement.

I'm not sure what the concern is. You want a guarantee? Here is a guarantee, let's do it, bipartisan. Let's get unanimous support out of this House and show the American people we can agree on cutting waste, we can agree on creating jobs, we can agree on selling some of the things we just don't need.

PARLIAMENTARY INQUIRY

Mr. DIAZ-BALART. Parliamentary inquiry of the Chair, if I may.

The CHAIR. The gentleman from Florida will state his inquiry.

Mr. DIAZ-BALART. Mr. Chairman, is it not true that if this language would have been in the bill, that there's no guarantee that somebody would have not done an amendment in the Rules Committee to take it out, so that there is no more different guarantee if it was in than if it was out? Is that not true?

The CHAIR. The gentleman has not stated a proper parliamentary inquiry. That is a matter for debate.

Mr. DENHAM. At this time, Mr. Chairman, I'd like to yield 3 minutes to

the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY. I thank the gentleman from California.

I do stand in strong support of the Civilian Property Realignment Act, and I'll tell you why. I come from the private sector where sometimes assets become liabilities. An asset becomes a liability when it costs you so much to insure it, secure it, and maintain it that it no longer serves the purpose it was originally designed for.

When you look at this, I look at this as almost—there's a TV show. I haven't seen it, but they tell me it's called "Hoarders." This is where people hoard things that they have no use for, but it takes up all space in their house and it takes up their personal wealth.

We are looking at a situation right now in this country where we have to reduce the size of government and reduce the cost. Why? Because it's the hardworking American taxpayer that foots the bill for all these properties that are being unused or underused. Wouldn't it just make sense to take them from the liability side and put it on the asset side? It no longer will cost the American taxpayers money to secure, insure, and maintain. It would go into the private sector. It would create jobs. These people would convert these into a use that makes more sense for today, and they would start paying taxes on it. This is a win-win situation for the American taxpayer.

I would submit to you, if this were not a reelection year, we would not be going through gymnastics in this House of things that make absolutely no sense to the people who pay for them; that's the American taxpayer.

After sitting here for 1 year and watching this ridiculous tennis match and trying to figure out if we really came to reduce the size of government, if we really came to reduce the debt that we have, if we really came to create jobs, if we really came for something that makes sense for America, why are we wasting America's time by debating issues that don't make sense for the people that pick up the tab, and that's the American taxpayer? It is not this House that pays for it. It is those homes around our district and in this country.

I have gotten to the point where I cannot stand listening to this garbage that comes out of here. It does nothing but create animosity. It does nothing to fix the situation. We have absolutely reached way past the midnight hour.

So I strongly support the gentleman's bill, the Civilian Property Realignment Act. Let's change these things from being liabilities into assets. Let's take the government's foot off the throat of the American taxpayers. Let's turn this country around and make it a useful situation.

I thank the gentleman. Please stand strong. We need to get these issues done.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. The Chair would remind all Members to direct their remarks to the Chair.

The Chair recognizes the gentleman from the District of Columbia.

Ms. NORTON. Well, I don't agree that we're past the midnight hour, but I agree that we're past the point of no return.

The gentleman wanted to talk about cost. This bill costs \$68 million, a great deal more than another bill that I do support, the Oversight and Government Reform bill. I serve on that committee as well. I was willing, since this bill was coming to the floor first and since I had worked with the gentleman on this bill all along, to support this bill, but I don't think you can make the case that this bill is less costly than the Oversight and Government Reform bill. I would have thought that my colleagues on the other side would have gotten together to work that problem of two different bills out for themselves.

My chief regret is to have spent a lot of time and effort and conversation that I believed was getting somewhere. Perhaps it was all a big misunderstanding. But if it were, if that's what it was, we certainly informed the other side about my concern before we came. That concern remains.

I don't have any further speakers. I regretfully cannot support the bill before us.

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

Mr. DENHAM. Mr. Chairman, once again, this is the amazing thing about politics. You can have an agreement and support completely the other side's opinion and still have a disagreement only in this House.

I support getting this country back in line with our fiscal responsibility. We have a \$15 trillion debt, and we've got to do something about it. We have an opportunity to have a bipartisan agreement, one that the President is asking for, one he included in his State of the Union as something to get done. If he cannot get his own party, if he cannot get the Senate to come along with his ideas, how are we the obstructionists?

We want to sell properties. We want to sell the noncontroversial properties. Fourteen thousand properties have been identified as excess, underutilized properties that we could be moving immediately. We could be creating billions of dollars to pay down our debt. We could be redeveloping so many of these historic buildings that are sitting empty, creating jobs, getting these properties back on the tax rolls. This is a bipartisan solution that I'm amazed at some of the rhetoric tonight.

Again, if the ranking member wants a guarantee, we'll give her a guarantee tonight. Bring up the amendment. We will voice vote it right now and she will have a guarantee it's in the bill. But yet she doesn't want to do it. So I have a separate amendment. If we cannot get the other side of the aisle to present theirs, we will present ours.

Again, we've got to get rid of some of this waste, this additional expense—\$1.9 billion we pay just in operating costs of these properties we don't use today, properties that are sitting vacant. If Republicans and Democrats can't agree that an empty building that's not being used, that has no reason to be used in the future, cannot be eliminated to reduce our debt, the real question is: What can we agree on? This is the most simple of deficit reduction plans. This is one the President has asked for multiple times.

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

The CHAIR. All time for general debate has expired.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-11 is adopted. The bill, as amended, shall be considered as an original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

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

H.R. 1734

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Civilian Property Realignment Act" or "CITA".

SEC. 2. PURPOSES.

The purposes of this Act are—

- (1) to consolidate the footprint of Federal buildings and facilities;
- (2) to maximize the utilization rate of Federal buildings and facilities;
- (3) to reduce the reliance on leased space;
- (4) to sell or redevelop high value assets that are underutilized to obtain the highest and best value for the taxpayer and maximize the return to the taxpayer;
- (5) to reduce the operating and maintenance costs of Federal civilian real properties through the realignment of real properties by consolidating, collocating, and reconfiguring space, and other operational efficiencies;
- (6) to reduce redundancy, overlap, and costs associated with field offices;
- (7) to create incentives for Federal agencies to achieve greater efficiency in their inventories of civilian real property;
- (8) to facilitate and expedite the sale or disposal of unneeded civilian properties; and
- (9) to assist Federal agencies in achieving the Government's sustainability goals by reducing excess space, inventory, and energy consumption, as well as by leveraging new technologies.

SEC. 3. DEFINITIONS.

In this Act, unless otherwise expressly stated, the following definitions apply:

- (1) **FEDERAL CIVILIAN REAL PROPERTY AND CIVILIAN REAL PROPERTY.**—
 - (A) **PROPERTY.**—The terms "Federal civilian real property" and "civilian real property" refer to Federal real property assets, including public buildings as defined in section 3301 of title 40, United States Code, occupied and improved grounds, leased space, or other physical structures under the custody and control of Federal agency.
 - (B) **FURTHER EXCLUSIONS.**—Subparagraph (A) shall not be construed as including any of the following types of property:
 - (i) A base, camp, post station, yard, center, homeport facility for any ship, or any activity

under the jurisdiction of the Department of Defense or Coast Guard.

(ii) **Properties that are excluded for reasons of national security by the Director of the Office of Management and Budget.**

(iii) **Properties that are excepted from the definition of "property" under section 102(9) of title 40, United States Code.**

(iv) **Indian and Native Alaskan properties including—**

- (I) any property within the limits of any Indian reservation to which the United States owns title for the benefit of an Indian tribe; and
- (II) any property title which is held in trust by the United States for the benefit of any Indian tribe or individual or held by an Indian tribe or individual subject to restriction by the United States against alienation.

(v) **Properties operated and maintained by the Tennessee Valley Authority pursuant to the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831, et seq).**

(vi) **Postal properties owned by the United States Postal Service.**

(vii) **Properties used in connection with Federal programs for agricultural, recreational, and conservation purposes, including research in connection with the programs.**

(viii) **Properties used in connection with river, harbor, flood control, reclamation, or power projects.**

(ix) **Properties located outside the United States operated or maintained by the Department of State or the United States Agency for International Development.**

(2) **FEDERAL AGENCY.**—The term "Federal agency" means an executive department or independent establishment in the executive branch of the Government, and a wholly owned Government corporation.

(3) **ADMINISTRATOR.**—The term "Administrator" means the Administrator of General Services.

(4) **COMMISSION.**—The term "Commission" means the Civilian Property Realignment Commission.

(5) **OMB.**—The term "OMB" means the Office of Management and Budget.

(6) **FIELD OFFICE.**—The term "field office" means any Federal office that is not the Headquarters office location for the Federal agency.

SEC. 4. COMMISSION.

(a) **ESTABLISHMENT.**—There is established an independent commission to be known as the Civilian Property Realignment Commission, referred to in this Act as the "Commission".

(b) **DUTIES.**—The Commission shall carry out the duties as specified in this Act.

(c) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The Commission shall be composed of a Chairperson appointed by the President, by and with the advice and consent of the Senate, and 8 members appointed by the President.

(2) **APPOINTMENTS.**—In selecting individuals for appointments to the Commission, the President shall consult with—

- (A) the Speaker of the House of Representatives concerning the appointment of 2 members;
- (B) the majority leader of the Senate concerning the appointment of 2 members;
- (C) the minority leader of the House of Representatives concerning the appointment of 1 member; and
- (D) the minority leader of the Senate concerning the appointment of 1 member.

(3) **TERMS.**—The term for each member of the Commission shall be 6 years.

(4) **VACANCIES.**—Vacancies shall be filled in the same manner as the original appointment.

(5) **QUALIFICATIONS.**—In selecting individuals for appointment to the Commission, the President shall ensure the Commission contains individuals with expertise representative of the following:

- (A) Commercial real estate and redevelopment.
- (B) Government management or operations.

(C) Community development, including transportation and planning.

(D) Historic preservation.

SEC. 5. COMMISSION MEETINGS.

(a) **OPEN MEETINGS.**—Each meeting of the Commission, other than meetings in which classified information is to be discussed, shall be open to the public. Any open meeting shall be announced in the Federal Register and the Federal website established by the Commission at least 14 calendar days in advance of a meeting. For all public meetings, the Commission shall release an agenda and a listing of materials relevant to the topics to be discussed.

(b) **QUORUM AND MEETINGS.**—Seven Commission members shall constitute a quorum for the purposes of conducting business and 3 or more Commission members shall constitute a meeting of the Commission.

(c) **TRANSPARENCY OF INFORMATION.**—All the proceedings, information, and deliberations of the Commission shall be open, upon request, to the Chairperson and the ranking minority party member, and their respective subcommittee Chairperson and ranking minority party member, of—

- (1) the Committee on Transportation and Infrastructure of the House of Representatives;
- (2) the Committee on Oversight and Government Reform of the House of Representatives;
- (3) the Committee on Homeland Security and Governmental Affairs of the Senate;
- (4) the Committee on Environmental and Public Works of the Senate; and
- (5) the committees on Appropriations of the House of Representatives and the Senate.

(d) **GOVERNMENT ACCOUNTABILITY OFFICE.**—All proceedings, information, and deliberations of the Commission shall be open, upon request, to the Comptroller General of the United States.

SEC. 6. COMPENSATION AND TRAVEL EXPENSES.

(a) **COMPENSATION.**—

(1) **RATE OF PAY FOR MEMBERS.**—Each member, other than the Chairperson, shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

(2) **RATE OF PAY FOR CHAIRPERSON.**—Chairperson shall be paid for each day referred to in paragraph (1) at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level III of the Executive Schedule under section 5314, of title 5, United States Code.

(b) **TRAVEL.**—Members shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

SEC. 7. EXECUTIVE DIRECTOR.

(a) **APPOINTMENT.**—The Commission shall appoint an Executive Director and may disregard the provisions of title 5, United States Code, governing appointments in the competitive service.

(b) **RATE OF PAY FOR DIRECTOR.**—The Executive Director shall be paid at the rate of basic pay payable or level IV of the Executive Schedule under section 5315 of title 5, United States Code.

SEC. 8. STAFF.

(a) **ADDITIONAL PERSONNEL.**—Subject to subsection (b), the Executive Director, with the approval of the Commission, may appoint and fix the pay of additional personnel.

(b) **DETAIL EMPLOYEES FROM OTHER AGENCIES.**—Upon request of the Executive Director, the head of any Federal agency may detail any of the personnel of that agency to the Commission to assist the Commission in carrying out its duties under this Act.

(c) **QUALIFICATIONS.**—Appointments shall be made with consideration of a balance of expertise consistent with the qualifications of representatives described in section 4(c)(5).

SEC. 9. CONTRACTING AUTHORITY.

(a) **EXPERTS AND CONSULTANTS.**—The Commission, to the extent practicable and subject to appropriations made by law, shall use existing contracts entered into by the Administrator for services necessary to carry out the duties of the Commission.

(b) **SPACE.**—The Administrator, in consultation with the Commission, shall identify suitable excess space within the Federal space inventory to house the operations of the Commission.

(c) **PERSONAL PROPERTY.**—The Commission shall use personal property already in the custody and control of the Administrator.

(d) **USE OF SMALL BUSINESSES.**—In exercising its authorities under this section and section 12, the Commission shall use, to the greatest extent practicable, small businesses as defined by section 3 of the Small Business Act (15 U.S.C. 632).

SEC. 10. TERMINATION.

The Commission shall cease operations and terminate 6 years after the date of enactment of this Act.

SEC. 11. DEVELOPMENT OF RECOMMENDATIONS TO THE COMMISSION.

(a) **SUBMISSIONS OF AGENCY INFORMATION AND RECOMMENDATIONS.**—Not, later than 120 days after the date of enactment of this Act and 120 days after the beginning of each fiscal year thereafter, the head of each Federal agency shall submit to the Administrator and the Director of OMB the following:

(1) **CURRENT DATA.**—Current, data of all Federal civilian real properties owned, leased, or controlled by the respective agency, including all relevant information prescribed by the Administrator and the Director of OMB, including data related to the age and condition of the property, operating costs, history of capital expenditures, sustainability metrics, number of Federal employees and functions housed in the respective property, and square footage (including gross, rentable, and usable).

(2) **AGENCY RECOMMENDATIONS.**—Recommendations which shall include the following:

(A) Federal civilian properties that can be sold for proceeds and otherwise disposed of, reported as excess, declared surplus, or otherwise no longer meeting the needs of the agency, excluding leasebacks or other such exchange agreements where the property continues to be used by the agency.

(B) Federal civilian properties that can be transferred, exchanged, consolidated, co-located, reconfigured, or redeveloped, so as to reduce the civilian real property inventory, reduce the operating costs of the Government, and create the highest value and return for the taxpayer.

(C) Operational efficiencies that the Government can realize in its operation and maintenance of Federal civilian real properties.

(b) **STANDARDS AND CRITERIA.**—Not later than 60 days after the date specified in subsection (a), the Director of OMB, in consultation with the Administrator, shall review agency recommendations submitted pursuant to subsection (a), and develop consistent standards and criteria, against which agency recommendations will be reviewed. The Director of OMB and the Administrator shall develop recommendations to time Commission based on those standards and criteria. In developing the standards and criteria, the Director of OMB, in consultation with the Administrator, shall incorporate the following:

(1) The extent to which the Federal building or facility could be sold (including property that is no longer meeting the needs of the Federal Government), redeveloped, or otherwise used to produce the highest and best value and return for the taxpayer.

(2) The extent to which the operating and maintenance costs are reduced through consolidating, co-locating, and reconfiguring space, and through realizing other operational efficiencies.

(3) The extent to which the utilization rate is being maximized and is consistent with non-governmental industry standards for the given function or operation.

(4) The extent and timing of potential costs and savings, including the number of years, beginning with the date of completion of the proposed recommendation.

(5) The extent to which reliance on leasing for long-term space needs is reduced.

(6) The extent to which a Federal building or facility aligns with the current mission of the Federal agency.

(7) The extent to which there are opportunities to consolidate similar operations across multiple agencies or within agencies.

(8) The economic impact on existing communities in the vicinity of the Federal building or facility.

(9) The extent to which energy consumption is reduced.

(c) **SPECIAL RULE FOR UTILIZATION RATES.**—Standards developed by the Director of OMB must incorporate and apply clear standard utilization rates consistent throughout each category of space and with non-government space utilization rates. To the extent the space utilization rates of a given agency fall below the utilization rates to be applied under this subsection, the Director may recommend realignment, co-location, consolidation, or other type of action to improve space utilization.

(d) **SUBMISSION TO THE COMMISSION.**—

(1) **IN GENERAL.**—The standards, criteria, and recommendations developed pursuant to subsection (b) shall be submitted to the Commission with all supporting information, data, analyses, and documentation.

(2) **PUBLICATION.**—The standards, criteria, and recommendations shall be published in the Federal Register and transmitted to the committees designated in section 5(c) and to the Comptroller General of the United States.

(3) **ACCESS TO INFORMATION.**—The Commission shall also have access to all information pertaining to the recommendations, including supporting information, data, analyses, and documentation submitted pursuant to subsection (a). Upon request, Federal agencies shall provide, the Commission any additional information pertaining to its properties.

SEC. 12. COMMISSION DUTIES.

(a) **IDENTIFICATION OF PROPERTY REDUCTION OPPORTUNITIES.**—The Commission shall identify opportunities for the Government to reduce significantly its inventory of civilian real property and reduce costs to the Government.

(b) **IDENTIFICATION OF HIGH VALUE ASSETS.**—

(1) **IDENTIFICATION OF CERTAIN PROPERTIES.**—Not later than 180 days after Commission members are appointed pursuant to section 4, the Commission shall identify not less than 5 Federal properties that are not on the list of surplus or excess as of such date with a total fair market value of not less than \$500,000,000 and transmit the list to the President and Congress as Commission recommendations and subject to the approval process described in sections 13 and 14.

(2) **INFORMATION AND DATA.**—In order to meet the goal established under paragraph (1), Federal agencies shall provide, upon receipt, any and all information and data regarding its properties to the Commission. The Commission shall notify the committees listed under section 5(c) of any failure by any agency to comply with a request of the Commission.

(c) **ANALYSIS OF INVENTORY.**—The Commission shall perform an independent analysis of the inventory of Federal civilian real property and the recommendations submitted pursuant to section 11. The Commission shall not be bound or limited by the recommendations submitted pursuant to section 11. If, in the opinion of the Commission, an agency fails to provide needed information, data, or adequate recommendations that meet the standards and criteria, the Commission shall develop such recommendations as it con-

siders appropriate based on existing data contained in the Federal Real Property Profile or other relevant information.

(d) **RECEIPT OF INFORMATION AND PROPOSALS.**—Notwithstanding any other provision or law, the Commission may receive and consider proposals, information, and other data submitted by State and local officials and the private sector. Such information shall be made publicly available.

(e) **ACCOUNTING SYSTEM.**—Not later than 120 days after the date of enactment of this Act, the Commission shall identify or develop and implement a system of accounting to be used to independently evaluate the costs of and returns on the recommendations. Such accounting system shall be applied in developing the Commission's recommendations and determining the highest return to the taxpayer. In applying the accounting system, the Commission shall set a standard performance period.

(f) **PUBLIC HEARING.**—The Commission shall conduct public hearings. All testimony before the Commission at a public hearing under this paragraph shall be presented under oath.

(g) **REPORTING OF INFORMATION AND RECOMMENDATIONS.**—

(1) **IN GENERAL.**—Not later than 120 days after the receipt of recommendations pursuant to section 11, and annually thereafter, the Commission shall transmit to the President, and publicly post on a Federal website maintained by the Commission a report containing the Commission's findings, conclusions, and recommendations for the consolidation, exchange, co-location, reconfiguration, lease reductions, sale, and redevelopment of Federal civilian real properties and for other operational efficiencies that can be realized in the Government's operation and maintenance or such properties.

(2) **RECOMMENDATIONS FOR SALE OR DISPOSAL OF PROPERTY.**—To the extent the Commission recommendations include the sale or disposal of real property, these properties may be reported as excess, declared surplus, or determined as no longer meeting the needs of the Federal Government, excluding leasebacks or other such exchange agreements where the property continues to be used by the Federal Government.

(3) **CONSENSUS IN MAJORITY.**—The Commission shall seek to develop consensus recommendations, but if a consensus cannot be obtained, the Commission may include in its report recommendations that are supported by a majority of the Commission.

(h) **FEDERAL WEBSITE.**—The Commission shall establish and maintain a Federal website for the purposes of making relevant information publicly available.

(i) **REVIEW BY GAO.**—The Comptroller General of the United States shall transmit to the Congress and to the Commission a report containing a detailed analysis of the recommendations and selection process.

SEC. 13. REVIEW BY THE PRESIDENT.

(a) **REVIEW OF RECOMMENDATIONS.**—Upon receipt of the Commission's recommendations, the President shall conduct a review of such recommendations.

(b) **REPORT TO COMMISSION AND CONGRESS.**—Not later than 30 days after receipt of the Commission's recommendations, the President shall transmit to the Commission and Congress a report that sets forth the President's approval or disapproval of the Commission's recommendations.

(c) **APPROVAL OR DISAPPROVAL.**—If the President—

(1) approves of the Commission's recommendations, the President shall transmit a copy of the recommendations to Congress, together with a certification of such approval;

(2) disapproves of the Commission's recommendations, in whole or in part, the President shall also transmit to the Commission and Congress the reasons for such disapproval. The Commission shall then transmit to the President,

not later than 30 days following the disapproval, a revised list of recommendations;

(3) approves all of the revised recommendations of the Commission, the President shall transmit a copy or such revised recommendations to Congress, together with a certification of such approval; or

(4) does not transmit to the Congress an approval and certification described in paragraphs (1) or (3) within 30 days of receipt of the Commission's recommendations or revised recommendations, as the case may be, the process shall terminate until the following year.

SEC. 14. CONGRESSIONAL CONSIDERATION OF THE RECOMMENDATIONS.

(a) **JOINT RESOLUTION OF APPROVAL.**—If a House of Congress has not taken a vote on final passage of a joint resolution as described in subsection (c) within 45 days after the President's transmission to that House of the approved recommendations pursuant to section 13, then such vote shall be taken on the next day of session following the expiration of the 45-day period.

(b) **COMPUTATION OF TIME PERIOD.**—For the purposes of this section, the days on which either House of Congress is not in session because of adjournment of more than three days shall be excluded in the computation of the period of time.

(c) **TERMS OF THE RESOLUTION.**—For purposes of this section, the term "joint resolution" means only a joint resolution—

(1) which does not have a preamble;

(2) the matter after the resolving clause of which is as follows: "That Congress approves the recommendations of the Civilian Property Realignment Commission as submitted by the President on _____ and notwithstanding any other provision of law, the Federal agencies shall implement and carry out all of the Commission's recommendations pursuant to section 15 of the Civilian Property Realignment Act", the blank space being filled in with the appropriate date;

(3) the title of which is as follows: "Joint resolution approving the recommendations of the Civilian Property Realignment Commission"; and

(4) which is introduced pursuant to subsection (d).

(d) **INTRODUCTION.**—After a House of Congress receives the President's transmission of approved recommendations pursuant to section 13, the majority leader of that House (or a designee) shall introduce (by request, if appropriate) a joint resolution described in subsection (c)—

(1) in the case of the House of Representatives, within three legislative days; and

(2) in the case of the Senate, within three session days.

(e) **CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.**—

(1) **REFERRAL AND REPORTING.**—Any committee of the House of Representatives to which a joint resolution is referred shall report it to the House without amendment not later than the tenth legislative day after the date of its introduction. If a committee fails to report the joint resolution within that period, it shall be in order to move that the House discharge the committee from further consideration of the joint resolution. Such a motion shall be in order only at a time designated by the Speaker in the legislative schedule within three legislative days after the day on which the proponent, announces his intention to offer the motion. Notice may not be given on an anticipatory basis. Such a motion shall not be in order after the House has disposed of a motion to discharge a joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion except twenty minutes of debate equally divided and controlled by the proponent and an opponent. If such a motion is adopted, the House shall proceed immediately to consider the joint resolution in accordance with paragraph (3). A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(2) **PROCEEDING TO CONSIDERATION.**—After the last committee authorized to consider a joint resolution reports it to the House or has been discharged (other than by motion) from its consideration, it shall be in order to move to proceed to consider the joint resolution in the House. Such a motion shall be in order only at a time designated by the Speaker in the legislative schedule within three legislative days after the day on which the proponent announces his intention to offer the motion. Notice may not be given on an anticipatory basis. Such a motion shall not be in order after the House has disposed of a motion to proceed with respect to that transmittal of recommendations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(3) **CONSIDERATION.**—The joint resolution shall be considered as read. All points of order against a joint resolution and against its consideration are waived. The previous question shall be considered as ordered on a joint resolution to its passage without intervening motion except five hours of debate equally divided and controlled by the proponent and an opponent and one motion to limit debate on the joint resolution. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(4) **POST SINE DIE.**—If the House has adopted a concurrent resolution providing for adjournment sine die at the end of a Congress, a motion to discharge under paragraph (1) or a motion to proceed under subparagraph (2) shall be in order as applicable.

(f) **CONSIDERATION IN THE SENATE.**—

(g) **AMENDMENTS PROHIBITED.**—No amendment to, or motion to strike a provision from, a joint resolution considered under this section shall be in order in either the Senate or the House of Representatives.

(h) **CONSIDERATION BY OTHER HOUSE.**—

(1) **IN GENERAL.**—If, before the passage by one House of a joint resolution of that House described in subsection (c), that House received from the other House a joint resolution described in subsection (e), then the following procedures shall apply:

(A) **NO COMMITTEE REFERRAL.**—The joint resolution or the other House shall not be referred to a committee and may not be considered in the House receiving it except in the case of final passage as provided in subparagraph (B).

(B) **JOINT RESOLUTION PROCEDURE.**—With respect to a joint resolution described in subsection (c) of the House receiving the joint resolution the procedure in that House shall be the same as if no joint resolution had been received from the other House, but the vote on final passage shall be on the joint resolution of the other House.

(2) **NO CONSIDERATION.**—Upon disposition of the joint resolution received from the other House, it shall no longer be in order to consider the joint resolution that originated in the receiving House.

(3) **EXCEPTION.**—This subsection shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

(i) **RULES OF THE SENATE AND HOUSE.**—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part or the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in this section, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 15. IMPLEMENTATION OF COMMISSION RECOMMENDATIONS.

(a) **CARRYING OUT RECOMMENDATIONS.**—Upon the enactment of a joint resolution described in section 14(c), Federal agencies shall immediately begin preparation to carry out the Commission's recommendations and shall initiate all activities no later than 2 years after the date on which the President transmits the recommendations to Congress. Federal agencies shall complete all recommended actions no later than the end of the 6-year period beginning on the date on which the President transmits the Commission's recommendations to Congress. All actions shall be economically beneficial and be cost neutral or otherwise favorable to the Government. For actions that will take longer than the 6-year period due to extenuating circumstances, each Federal agency shall notify the President and Congress as soon as the extenuating circumstance presents itself with an estimated time to complete the relevant action.

(b) **ACTIONS OF FEDERAL AGENCIES.**—In taking actions related to any Federal building or facility under this Act, Federal agencies may, pursuant to subsection (c), take all such necessary and proper actions, including—

(1) acquiring land, constructing replacement facilities, performing such other activities, and conducting advance planning and design as may be required to transfer functions from a Federal asset or property to another Federal civilian property; and

(2) reimbursing other Federal agencies for actions performed at the request of the Commission.

(c) **NECESSARY AND PROPER ACTIONS.**—When acting on a recommendation of the Commission, a Federal agency shall continue to act within their existing legal authorities, whether such authority has been delegated by the Administrator, or must work in partnership with the Administrator to carry out such actions. The Administrator may take such necessary and proper actions, including the sale, conveyance, or exchange or civilian real property, as required to implement the Commission recommendations in the time period required under subsection (a).

(d) **DISCRETION OF ADMINISTRATOR REGARDING TRANSACTIONS.**—For any transaction identified, recommended, or commenced as a result of this Act, any otherwise required legal priority given to, or requirement to enter into, a transaction to convey a Federal civilian real property for less than fair market value, for no consideration at all, or in a transaction that mandates the exclusion of other market participants, shall be at the discretion of the Administrator.

SEC. 16. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There is authorized a one-time appropriation to carry out this Act in the following amounts:

(1) \$20,000,000 for salaries and expenses of the Commission.

(2) \$62,000,000 to be deposited into the Asset Proceeds and Space Management Fund for activities related to the implementation of the Commission recommendations.

(b) **FEDERAL BUILDINGS FUND.**—There is authorized to be appropriated from the Federal Buildings Fund established under section 592 of title 40, United States Code, for construction and acquisition activities \$0 for fiscal year 2012.

SEC. 17. FUNDING.

(a) **CREATION OF SALARIES AND EXPENSES ACCOUNT.**—

(1) **ESTABLISHMENT OF ACCOUNT.**—There is hereby established on the books of the Treasury an account to be known as the "Civilian Property Realignment Commission—Salaries and Expenses" account.

(2) **NECESSARY PAYMENTS.**—There shall be deposited into the account such amounts, as are provided in appropriations Acts, for those necessary payments for salaries and expenses to accomplish the administrative needs of the Commission.

(b) **CREATION OF ASSET PROCEEDS AND SPACE MANAGEMENT FUND.**—There is hereby established within the Federal Buildings Fund established under section 592 of title 40, United States Code, an account to be known as the “Civilian Property Realignment Commission—Asset Proceeds and Space Management Fund” which shall be used solely for the purposes of carrying out actions pursuant to the Commission recommendations approved under section 14. Notwithstanding section 3307 of title 40, United States Code, the following amounts shall be deposited into the account and made available for obligation or expenditure only as provided in advance in appropriations Acts for the purposes specified:

(1) Such amounts as are provided in appropriations Acts, to remain available until expended, for the consolidation, co-location, exchange, redevelopment, re-configuration of space, disposal, and other actions recommended by the Commission for Federal agencies.

(2) Amounts received from the sale of any civilian real property action taken pursuant to a recommendation or the Commission under section 15. As provided in appropriations Acts, such proceeds may be made available to cover necessary costs associated with implementing the recommendations pursuant to section 15, including costs associated with—

(A) sales transactions;

(B) acquiring land, construction, constructing replacement facilities, conducting advance planning and design as may be required to transfer functions from a Federal asset or property to another Federal civilian property;

(C) co-location, redevelopment, disposal, and reconfiguration of space; and

(D) other actions recommended by the Commission for Federal agencies.

(c) **ADDITIONAL REQUIREMENT FOR BUDGET CONTENTS.**—The President’s budget submitted pursuant to section 1105 of title 31, United States Code, shall include an estimate of proceeds that are the result of the Commission’s recommendations and the obligations and expenditures needed to support such recommendations.

SEC. 18. DISPOSAL OF REAL PROPERTIES.

(a) **ENVIRONMENTAL CONSIDERATIONS.**—

(1) **APPLICABILITY OF OTHER LAW.**—Public Law 91-190, as amended, shall not apply to activities under section 11 of this Act.

(2) **CIVIL ACTION.**—A civil action for judicial review, with respect to any requirement of Public Law 91-190, as amended, to the extent such public law is applicable to the actions under section 15 of this Act, of any act or failure to act by a Federal agency during the closing, realigning, or relocating of functions under this Act, may not be brought more than 60 days after the date of such act or failure to act.

(3) **TRANSFER OF REAL PROPERTY.**—

(A) **IN GENERAL.**—When implementing the recommended actions pursuant to section 15 for properties that have been identified in the Commission’s recommendations and in compliance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including section 120(h) thereof (42 U.S.C. 9620(h)), Federal agencies may enter into an agreement to transfer by deed real property with any person.

(B) **ADDITIONAL TERMS.**—The head of the disposing agency may require any additional terms and conditions in connection with an agreement authorized by subparagraph (A) as the head of the disposing agency considers appropriate to protect the interests of the United States. Such additional terms and conditions shall not affect or diminish any rights or obligations of the Federal agencies under CERCLA section 120(h) (including, without limitation, the requirements CERCLA section 120(h)(3)(A) and CERCLA section 120(h)(3)(C)(iv)).

(4) **INFORMATION DISCLOSURE.**—As part, of an agreement pursuant to this Act, the agency

shall disclose to the person to whom the property or facilities will be transferred any information of the Federal agency regarding the environmental restoration, waste management, and environmental compliance activities described in this Act that relate to the property or facilities. The agency shall provide such information before entering into the agreement.

(b) **CONSTRUCTION OF CERTAIN ACTS.**—Nothing in this section shall be construed to modify, alter, or amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

SEC. 19. CONGRESSIONAL APPROVAL OF PROPOSED PROJECTS.

Section 3307(b) of title 40, United States Code is amended—

(1) by striking “and” at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting “; and”; and

(3) by adding at the end the following:

“(8) a statement of how the proposed project is consistent with section 11(b) of the Civilian Property Realignment Act.”.

SEC. 20. LIMITATION OF CERTAIN LEASING AUTHORITIES.

(a) **LIMITATION OF CERTAIN LEASING AUTHORITIES.**—Chapter 33 of title 40, United States Code, is amended by adding at the end the following: “§3317. Limitation on leasing authority of other agencies

“(a) **IN GENERAL.**—Notwithstanding any other provision of law, no executive agency may lease space for the purposes of a public building as defined under section 3301, except as provided under section 585, and the provisions in this chapter.

“(b) **Public Building.**—For the purposes of this section, the term ‘public building’ shall include leased space.

“(c) **FURTHER EXCLUSIONS.**—This section shall not apply to—

“(1) properties that are excluded for reasons of national security by the President; and

“(2) properties of the Department of Veterans Affairs.

“(d) **CONSTRUCTION.**—Nothing in this section shall be construed as creating new authority for executive agencies to enter into leases or limit the authority of the Administration under section 3314.”.

(b) **SMALL BUSINESSES.**—When using commercial leasing services, the Administrator shall adhere to the requirements of the Small Business Act (15 U.S.C. et seq.).

(c) **CLERICAL AMENDMENT.**—The analysis for such chapter is amended by adding at the end: “3317. Limitation on leasing authority of other agencies.”.

SEC. 21. IMPLEMENTATION REVIEW BY GAO.

Upon transmittal of the Commission’s recommendations from the President to the Congress under section 13, the Comptroller General of the United States at least annually shall monitor, review the implementation activities of Federal agencies pursuant to section 15, and report to Congress any findings and recommendations.

The CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in House Report 112-385. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

The Chair understands amendment No. 1 will not be offered.

AMENDMENT NO. 2 OFFERED BY MR. DENHAM

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112-385.

Mr. DENHAM. Mr. Chairman, am I to understand that the amendment before mine is not being brought up?

The CHAIR. The gentleman is correct.

Does the gentleman have an amendment at the desk?

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 28, after line 15, insert the following:

(e) **MCKINNEY-VENTO HOMELESS ASSISTANCE ACT REVIEW.**—Upon the enactment of a joint resolution described in section 14(c) and for not more than 90 days after such enactment, the Secretary of Housing and Urban Development shall apply section 501 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411) to the extent practicable, to any buildings identified for disposal in the approved recommendations that are not more than 25,000 square feet or valued at less than \$5,000,000.

The CHAIR. Pursuant to House Resolution 537, the gentleman from California (Mr. DENHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DENHAM. Mr. Chairman, this amendment reflects what was agreed to by the gentlewoman from the District of Columbia on the homeless issue. The amendment ensures that there is a reasonable review of properties for use by the homeless.

Under current law, the review process is covered by the McKinney-Vento Homeless Assistance Act. This amendment applies that law in a streamlined way to the civilian property realignment process created in H.R. 1734.

□ 1950

The streamlined review process would set a clear timeframe and apply to the types of properties normally used for the homeless, those less than 25,000 square feet or not more than \$5 million in value.

Over the 25 years since McKinney-Vento was enacted, 82 properties have been conveyed for homeless use. In 25 years, just 82 properties have been conveyed, and we want to continue to extend that, seeing as there may be other opportunities.

Typically, these are small properties used for shelters and similar types of assistance. The larger properties tend to be warehouses for food banks. Given this, the amendment provides two triggers, one based on size, and another on value to ensure properties that may be appropriate are considered for homeless use.

This is a reasonable compromise to this issue. I worked closely with the ranking member of our subcommittee, and on Friday we had agreed to this solution. Despite reversing her decision, I’ll move forward on the agreed-upon language.

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

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

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. CONNOLLY OF VIRGINIA

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112-385.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 28, line 15, insert after "the Administrator." the following: "The Administrator may also exclude property from any such transaction that the Administrator has determined is suitable for assignment to the Secretary of the Interior for transfer to a State, a political subdivision or instrumentality of a State, or a municipality for use as a public park or recreation area under section 550(e) of title 40, United States Code. In making such determination, the Administrator may consider the appraised value of the property and the highest and best use."

The CHAIR. Pursuant to House Resolution 537, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Both the Transportation and Infrastructure and the Oversight and Government Reform committees have marked up legislation to save money through the disposal of Federal property. We've identified bipartisan common ground on the subject in the past. I hope we can continue to do so with this bill.

In the Oversight and Government Reform Committee, Members and the staff have worked on a bipartisan basis to report legislation expediting the disposal of real Federal property. The bill we reported unanimously included, by voice vote, my amendment to protect the ability of local governments to work with the Federal Government on real property disposal. The amendment before us today includes identical language to protect local planning prerogatives and to ensure that Federal decisions take cognizance of local circumstances. I reiterate, an amendment that had Republican support on the Oversight and Government Reform Committee.

I introduced this amendment because I have direct experience with successful real property disposal in my northern Virginia district. My predecessor, Republican Tom Davis of Virginia, worked with me and my colleagues in local government and with the GSA to sell the former Lorton prison site, which was under Federal control, to Fairfax County, Virginia.

The land transfer saved the Federal Government the cost of maintaining

over 330 structures on the property and many historic buildings. In collaboration with the community, we created a new park with cultural and recreational attractions, and the project set off a development boom in the southern part of our community.

In short, this land transfer was a win/win for the Federal Government, for the local government. Both benefited from the sale, and local residents who lacked adequate park land, and a win for the private sector which capitalized on residential and commercial redevelopment opportunities as a result.

Other communities across America ought to also be able to work with the Federal Government on mutually beneficial land disposal processes like those that turned Lorton prison into a vibrant new community in my county.

Mr. DENHAM and the T&I Committee have judiciously included stipulations that the BRAC-type commission for property disposal include individuals with historic preservation and community development expertise, and I appreciate that. However, these individuals cannot possibly know about the individual local circumstances in communities all across America.

For that expertise, we must return to the conservative principle that local people, not the Federal Government, know the most about their own local circumstances. To that end, my simple amendment would protect the ability of local governments to work with GSA to dispose of real property which would be suitable for park land.

This amendment would not interfere with the author's objective of liquidating high-value Federal buildings, nor would it compromise the BRAC-type commission. It simply would give local governments and local taxpayers a voice in the disposal of property in their back yards, if that property is suitable for park land.

As we learned in Oversight and Government Reform hearings on this topic, my amendment would save the Federal Government money because it would eliminate Federal maintenance expenses; and we know that maintenance costs represent the largest and most achievable cost-savings opportunity in real-property disposal.

In summary, this amendment is based on local success we realized working with Congress, both Tom Davis and JIM MORAN, to preserve park land and save money for the Federal Government. Similar language was adopted unanimously in the Oversight and Government Reform Committee recently when we marked up similar legislation to H.R. 1734. It would protect local governments' and local citizens' roles in the land-disposal process, based on the conservative principle the Federal Government doesn't always know best.

I appreciate the time the T&I Committee staff took to try to work with us on this amendment. I also appreciate the support for this language from Democratic and Republican mem-

bers of the Oversight and Government Reform Committee during our markup, and I urge our colleagues to support the amendment.

I reserve the balance of my time.

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

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

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

H.R. 1734 is drafted to ensure there is a streamlined process to sell or redevelop high-value assets.

H.R. 1734 preserves our parks and open spaces by explicitly exempting them from the process outlined in the bill. Despite this, the amendment by the gentleman from Virginia would give the General Services Administration extraordinary authority to take valuable properties off the table and set them aside. This amendment would give GSA veto authority over the President, over Congress by allowing GSA to remove properties after recommendations are approved.

The legislation includes opportunities for State and local governments to receive properties in the process, and the commission will include expertise in community development. Those considerations would be included in the recommendations submitted to the President and Congress.

I reserve the balance of my time.

Mr. CONNOLLY of Virginia. Mr. Chairman, I yield myself such time as I may consume.

I heard the eloquent cry for bipartisanship from the gentleman from California just a few minutes ago. Here's an amendment that passed unanimously, without objection on the Oversight and Government Reform Committee. It, by no means, grants the kind of authority just described to GSA. It is a simple protection for local governments to get in the process.

I regret very much that the fix is in, that we're not going to have bipartisan amendments adopted tonight to this bill, and little wonder then that your bill will have no support on this side of the aisle.

I yield back the balance of my time.

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

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

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

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

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

AMENDMENT NO. 4 OFFERED BY MS. JACKSON LEE OF TEXAS

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112-385.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 35, after line 14, insert the following:
SEC. 22. SENSE OF CONGRESS AND REPORTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Civilian Property Realignment Commission, should take steps to provide assistance to small, minority, and woman-owned businesses seeking to be awarded contracts to redevelop federal property;

(2) the Civilian Property Realignment Commission and other appropriate Federal officials should conduct a public information campaign to advise small, minority, and women-owned business firms with respect to contracts for the sale or redevelopment of Federal property; and

(3) firms that are awarded contracts pertaining to the redevelopment of Federal property should, to the maximum extent practicable, seek to award subcontracts for such contracts to small, minority, and women-owned business firms.

(b) PROGRESS REPORTS.—Every 6 months, the Civilian Property Realignment Commission shall submit to the appropriate committees of Congress and the President, a report regarding contracting. Each such report shall indicate, as of the date of the submission of such report, the size of all business firms awarded contracts by the Commission and the size of all business firms awarded subcontracts under such contracts

The CHAIR. Pursuant to House Resolution 537, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

As I understand this legislation, it is to establish a commission that deals with the civilian property realignment for this Nation. Some 340 million-plus square feet, I understand, is within the jurisdiction of the General Services Administration.

I want to acknowledge the leadership of the ranking member on many issues dealing with property around the Nation. Thank her for that leadership.

My amendment is a simple amendment that expresses that the commission, or other appropriate Federal agencies, should conduct a public-information campaign to advise small, minority, women-owned businesses of the available contracts under this particular commission and report to Congress.

□ 2000

Just this morning, before I flew to Washington, I had a room full of small, minority, and women-owned businesses clamoring to understand how to interact with the Federal Government. In fact, one particular women-owned business stood up and said that they had been certified for however long and never could get any information on how to access opportunities that could be utilized by their small business to create jobs.

This amendment is a sense of Congress that provides a public awareness

campaign that would help to ensure that a broad swath of the small business community is reached. It is imperative that these businesses are aware of the existence of contracts. It is also imperative that the process for obtaining a Government contract is clear, which is why it is extremely important that the commission, along with other appropriate Federal agencies, implement an awareness campaign targeting small, minority, and women-owned businesses.

I further believe there should be accountability as to which firms are receiving these lucrative contracts, and a system of monitoring. Everyone has said on the floor of the House—bipartisan, Republicans and Democrats—we are for small businesses. So am I. I want them thriving, growing, surviving, and getting the information to do business with this huge Federal Government.

This amendment, which is a sense of Congress, I believe gives them an opportunity to play on an equal playing field.

We know what will happen with a commission: that those who have always known how to access the system will be at the front of the line. Let's give these small companies an opportunity to also achieve their dreams and aspiration for the American Dream.

I ask my colleagues to support this amendment, and I reserve the balance of my time.

Mr. Chair, I rise to debate H.R. 1734, the "Civilian Property Realignment Act." I offered an amendment to this measure which acknowledges the challenges faced by small, minority, and women-owned businesses that participate in the government contracting process. However, I have several reservations about this bill. The failure to include language that would require an environmental impact analysis of these properties does not make sense.

The original bill waived Title V of the McKinney-Vento Act, which provides for the free transfer of surplus federal properties to homeless providers, as well as, the National Environmental Policy Act (NEPA). Homeless providers have claimed less than 1 percent of the thousands of properties available to them because of the size of the properties. I was led to believe that an agreement had been reached to ensure that a provision that applied the McKinney-Vento requirements to properties of a certain size and value would be in this bill, it is unclear whether that will be the case.

In addition, the bill contains a second poisonous pill, as it waives the National Environmental Policy Act (NEPA) which requires a thorough public examination of the environmental impacts of a project or property transfer, to avoid an unintended adverse effect on a surrounding community and a harmful precedent of waiving appropriate environmental review on major infrastructure projects.

Many of these properties are decades old. These buildings may contain asbestos among other issues that may have a direct impact on those who renovate them, as well as, the surrounding communities in which they are located. Allowing those communities to express their concerns through a public comment pe-

riod is reasonable. In addition, ensuring that the federal government does all that it can to remediate its own property prior to transfer or renovation is an example to all other sectors of the importance of adhering to environmental safety standards. If these concerns can be addressed this bill serves as a reasonable vehicle to help combat the deficit. If these concerns cannot be address this bill may be fatally flawed.

Would require federal agencies to compile environmental information about all property being considered for action and provide for a limited review of property by homeless service providers.

President Obama, first proposed this bipartisan measure in his budget last year as a means to decrease unnecessary government spending and reduce the deficit. It is my hope that the issues that have been raised can be addressed before we must vote on this measure.

H.R. 1734 establishes the Civilian Property Realignment Commission (CPRC) to better manage federal buildings and facilities. This measure would give the Commission broad new authorities to consolidate, dispose of, or sell some government properties. In addition, the Commission is required to sell at least five facilities that have a combined estimated fair market value of at least \$500 million.

I believe that if this legislation passes that the newly formed Civilian Property Realignment Commission (CPRC) should take steps to educate and assist small, women, and minority-owned businesses when awarding contracts related to the sale or redevelopment of federal property. However the bill does not address concerns raised related to the impact on the homeless and it removes a provision that requires an environmental impact study before the transfer of any federal land. These studies are a tool to determine the land, air, and water quality of the property being transferred and the intended use of said property. I believe that it is not in the best interest of the government or local communities to remove this vital safety feature.

H.R. 1734 is similar to the Department of Defense Base Realignment Commission (BRAC) law, which allows the federal government to make the best use of surplus and underused properties under the jurisdiction of various federal agencies, and to dispose of properties the government does not need to help with debt reduction.

It is important to remember that the federal government owns a significant amount of property. The role of the CPRC is to present an accurate view of how that property is currently utilized and consolidate certain activities. For example, currently 30 different agencies have 30 different leasing methods; the CPRC would streamline the process by taking over leasing authority.

The General Services Administration (GSA) one of the largest real estate organizations in the world, with an inventory consisting of 8,920 assets with over 342 million square feet of rentable space across all 50 states, 6 U.S. Territories, and the District of Columbia. They serve approximately 1 million Federal employees at 59 different agencies. The GSA has a portfolio which consists primarily of office buildings, courthouses, laboratories, border stations, and warehouses.

GSA's current inventory consists of 8,932 assets totaling 387,841,174 gross square feet

(gsf) nationwide. When these assets are separated between leased and owned, the portfolio consists of 1,884 owned assets totaling 218,983,699 gsf and 7,048 leased assets representing 168,857,475 gsf. The annual operating costs for FY2005 were \$1.5 billion, \$800 million for government owned and \$650 million for leased locations. The replacement value of the owned inventory is \$37.2 billion.

They have reduced the percentage of underutilized and non-performing assets from 42 percent to 26 percent;

Reduced vacant space from 9.2 percent to 6.8 percent, significantly below the 2005 industry average rate of 12.5 percent; and,

Reported excess 204 assets and demolished 50 buildings and, as a result, eliminated 3.1 million rentable square feet of vacant space and achieved a cost avoidance of \$400 million in capital reinvestment needs.

As of October 1, 2002, federal agencies reported a total of 927 vacant and underutilized real properties—including facilities and land—located throughout the United States and Puerto Rico in 294 cities.

The Veteran's Administration (VA) reported the most properties—577;

General Service Administration (GSA) reported 236 properties, and United States Postal Service (USPS) reported 114 properties.

Most of these properties—807 of 927—were facilities that represented about 32.1 million square feet and ranged from office buildings to hospitals to post offices.

Although VA reported the highest number of facilities, GSA facilities made up more than half of this square footage. The remaining 120 properties were vacant lands reported only by VA and USPS, most of which were 10 acres or less.

One-third or 125 of GSA's underutilized and unutilized assets have been reported excess and accepted for disposal. These assets account for almost 9 million gross square feet (gsf) and \$10.9 million in operating expenses that will be eliminated upon completion of the disposal action. Another 18 underutilized assets with approximately 1 million gross square feet (gsf) and \$1.5 million in operating costs are projected for disposal in the next five years pending customer relocation.

There were 89 leased facilities that were determined to be underutilized with operating costs totaling \$6.2 million in FY2005. GSA eliminates vacant leased space by backfilling space with other customers, terminating the lease or vacant portion thereof or buying out the remaining lease term whenever possible. At the end of FY2005, GSA's leased vacancy rate was at a record low level (below 1.5%).

With an aging inventory it is imperative that we reinvest in our federal facilities to maintain a quality workplace for our federal agencies. At any given time a significant portion of our vacant space is under renovation.

As of September 30, 2005, GSA had 21 assets vacated for major renovations accounting for almost 9 million gross square feet and \$39.6 million in operating expenses. As the current projects are completed, the space will be backfilled and these assets will once again become utilized.

At the same time, new projects will begin in different assets keeping the amount of assets that are underutilized due to major renovations fairly constant.

The Civilian Property Realignment Commission (CPRC) will review all federal properties

and leases utilized for civilian use to determine an accurate number of properties that are either vacant or underutilized.

The independent Commission (CPRC), operating under the GSA, will transform how federal real estate is managed. The purpose of the Commission will be to convert real estate inefficiencies into reductions in the Federal deficit. By facilitating and expediting the sale and disposal of unneeded properties; reducing our reliance on costly leased space; and sell or redevelop high value assets that are underutilized.

I firmly believe this Commission should consider the impact of their decisions on the small business community. Specifically, small, minority, and women-owned businesses which face many challenges when trying to learn about the existence of government contracts for which they can apply, as well as, maneuvering through the complex government contracting process.

As the decisions of the Commission will impact local communities, revitalize neighborhoods, decrease government spending, and reduce the deficit. The Commission should recognize the important role that small businesses play in our economy.

My amendment simply expresses that the Commission or other appropriate federal agency should conduct a public information campaign to advise small, minority, women-owned businesses of the available contracts.

In order to ensure that a broad swath of the small business community is reached it is imperative that these businesses are aware of the existence of contracts. It is also imperative that the process for attaining a government contract is clear; which is why it is extremely important that the Commission, along with all other appropriate federal agencies, implement an awareness campaign targeting small, minority, and women-owned businesses.

The only way to ensure a diverse representation of businesses is through targeted awareness campaigns followed by a clear process, along with adequate support.

Further, I believe there should be accountability as to which firms are receiving these lucrative contracts. The Commission should report to Congress and the President every 6 months. This report should include the amount of contracts awarded to business firms. The report should also include small, minority, and women-owned businesses, as well as, sub-contracts awarded to these businesses.

Few would argue with the premise that small business is the backbone of our economy and the heartbeat of our nation. The small business owner reflects a valued principle in our nation's heritage. The belief that an individual or a group of individuals can come together to build a business from the ground up then employ their neighbors.

SMALL BUSINESS

In government contracting it is important to ensure that everyone has equal access to this valued American dream. Every small business should have a fair chance to have an equal opportunity to attain a government contract that will impact their communities.

Ninety-nine percent of all independent companies and businesses in the United States are considered small businesses.

Small businesses are the engine of our economy, creating two-thirds of the new jobs over the last 15 years. Enabling small businesses to gain access to these contracts

would result in job growth in areas that were previously underutilized by the federal government.

Small businesses have always been a source of dynamism for the American economy.

In 2009, there were 27.5 million businesses in the United States. According to the U.S. Small Business Administration (SBA) these small enterprises account for 52 percent of all U.S. workers.

Some 19.6 million Americans work for companies employing fewer than 20 workers, 18.4 million work for firms employing between 20 and 99 workers, and 14.6 million work for firms with 100 to 499 workers. By contrast, 47.7 million Americans work for firms with 500 or more employees.

MILITARY MUSEUM OF TEXAS

As a Senior Member on the House Homeland Security Committee, I have been one of the foremost proponents of finding ways to transform federal property from vacant space into property that can serve the community.

I introduced legislation that was signed into law that allowed the Military Museum of Texas to purchase land from the GSA. I realize the negative impact underutilized and vacant properties have on local communities. To be frank, if a property is not properly tended to it becomes blight upon the community and a needless expense for taxpayers.

The land upon which the Military Museum of Texas is located, 8611 Wallisville Road, Houston, Texas, was property of the General Services Administration. A bill I introduced last Congress, H.R. 6510, directed the General Services Administration (GSA) to convey at market value all right, title, and interest of the United States in and to over three acres of property located at 8611 Wallisville Road, in Houston, Texas to the Military Museum of Texas.

The conveyance was based upon an independent appraisal and any other costs associated will be paid for by the Military Museum.

The passage of H.R. 6510, allowed the Military Museum of Texas to remain at its current location in Houston, Texas and purchase the 3.6 acres from the General Services Administration that was previously vacant. In order for the GSA to sell this piece of land which was not being utilized required an Act of Congress.

With the establishment of the Civilian Realignment Commission it is my belief that more opportunities to revitalize communities, like the one afforded the Military Museum of Texas, can be found. These opportunities will benefit both businesses and the communities within which they are located.

The Military Museum of Texas was formed to create, maintain and operate an institution to honor and perpetuate the memories of all men and women who have served in the Armed Forces of the United States of America. The President of the Military Museum of Texas, Ed Farris, a former Marine sergeant, and a 22-year veteran of the Houston Police Department's motorcycle patrol and bomb squad, worked tirelessly to preserve the memories of the men and women of the armed forces.

The Military Museum is a pillar in the community, and a benefit to schools, veterans and military related groups. It provides educational programs, live reenactments from military personnel as well as interactive exhibits. Furthermore, the Military Museum provides internships in military history and preservation, and

a research database available for education and historical institutions and the public. Instead of land being left vacant it can now be used by the community.

Clearly there are many vital and important provisions in this bill; however, I still have grave reservations about the repeal of an environmental impact study before the transference of any federal land.

Mr. DENHAM. Mr. Chairman, we have no objection to the amendment.

The CHAIR. Does any Member claim time in opposition?

The Chair recognizes the gentleman from Texas.

Ms. JACKSON LEE of Texas. Mr. Chair, let me just say that the evidence of how important this language is is by way of a group in Texas that was able to secure by legislation—with the gentleness from the District of Columbia's excellent assistance—a military museum that was held by the General Services Administration. This group of veterans is making it a productive site and a productive part of our local community that evidences what we can secure with this language.

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

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

The amendment was agreed to.

The CHAIR. The Chair understands that amendment No. 5 will not be offered.

AMENDMENT NO. 6 OFFERED BY MR. CARNAHAN

The CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112-385.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. 22. CONSIDERATION OF LIFE-CYCLE COST REQUIRED.

Section 3305 of title 40, United States Code, is amended by adding at the end the following new subsection:

“(d) CONSIDERATION OF LIFE-CYCLE COST REQUIRED.—

“(1) REQUIREMENT.—The Administrator shall ensure that the life-cycle cost of a public building is considered in the construction or lease of a public building described in paragraph (2).

“(2) FEDERAL BUILDINGS SUBJECT TO REQUIREMENT.—A public building is subject to the requirement under paragraph (1) if—

“(A) construction or lease of the building begins after the date of the enactment of the Civilian Property Realignment Act;

“(B) the estimated construction costs of the building exceed \$1,000,000;

“(C) in the case of a lease, the square footage of the property is more than 25,000 square feet; and

“(D) Federal funding comprises more than 50 percent of the funding for the estimated construction or lease costs of the building.

“(3) DEFINITIONS.—In this subsection, the following definitions apply:

“(A) LIFE-CYCLE COST.—The term ‘life-cycle cost’ means the sum of the following costs, as estimated for the lifetime of a building:

“(i) Investment costs.

“(ii) Capital costs.

“(iii) Installation costs.

“(iv) Energy costs.

“(v) Operating costs.

“(vi) Maintenance costs.

“(vii) Replacement costs.

“(B) LIFETIME OF A BUILDING.—The term ‘lifetime of a building’ means, with respect to a building, the greater of—

“(i) the period of time during which the building is projected to be utilized; or

“(ii) 50 years.”.

SEC. 23. LONG-TERM SAVINGS THROUGH LIFE-CYCLE COST ANALYSIS.

Section 3307(b) of title 40, United States Code, as amended by section 19, is further amended—

(1) in paragraph (7), by striking “and” at the end;

(2) in paragraph (8), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(9) with respect to any prospectus for the construction, alteration, or acquisition of any building or space to be leased, a statement by the Administrator describing the use of life-cycle cost analysis and any increased design, construction, or acquisition costs identified by such analysis that are offset by lower long-term costs.”.

The CHAIR. Pursuant to House Resolution 537, the gentleman from Missouri (Mr. CARNAHAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. CARNAHAN. Thank you, Mr. Chairman.

I also want to add my voice to encouraging our chairman and ranking member to continue to work together to find that common ground. I know they have worked on this, but there obviously is more work to be done, and I want to encourage that. It is the only way we are going to get things done in this House.

I want to thank the chairman and the ranking member for their work on the committee and on this bill. I also want to thank the bipartisan High-Performance Building Caucus that I've worked with over the last several years that has helped bring focus on more efficient management and technology for our built environment.

The amendment that I offer here tonight will ensure that the Federal Government makes better decisions in the construction or leasing of Federal facilities, decisions that save taxpayer dollars. The U.S. Federal Government manages a large inventory of approximately 429,000 buildings, with a total square footage of 3.34 billion worldwide.

As we know, buildings are resource intensive, accounting for 40 percent of primary energy use in the U.S., 12 percent of water consumption, and 60 percent of nonindustrial waste. Federal facilities account for 0.4 percent of the Nation's energy usage. With such a large energy footprint and related costs, it is only common sense that the Federal Government fully understand both the short- and long-term cost of the construction and lease for a facility.

My amendment ensures that future construction and leased projects reflect

the best use of Federal dollars and the greatest value for taxpayers. My amendment does this by requiring the use of life-cycle cost analysis in the design or lease of a Federal building where the project is receiving at least 50 percent Federal funding. Life-cycle cost analysis is the most accurate method for assessing the total cost of facility ownership. It takes into account all costs of acquiring, owning, and disposing of a building or building system. It is a whole picture assessment of a project instead of only looking at the immediate upfront costs.

This would provide valuable insight into the real long-term costs of a facility and encourage the construction or lease of the facilities that provide the best results for the lowest overall cost.

The process of life-cycle analysis makes for sound fiscal policy and increases transparency and accountability while allowing our building planners to account for the full long-term costs of projects.

Life-cycle budgeting ensures that we make the best decisions and get the most value when it comes to our infrastructure. We know that it can be marginally more expensive to construct an energy efficient facility, but over the long term, the same facility saves money in energy and water costs that actually make the building a better investment.

My amendment will ensure that Federal agencies have a complete picture and understand ongoing budgetary obligations when considering construction or leasing of a facility. Agencies should use this tool to consider the total cost of ownership of their buildings, including long-term operating life-cycle costs.

This amendment requires Federal agencies to use life-cycle cost analysis of the overall spending on design, construction, operation, and maintenance to reflect the best use of agency funds.

I thank my colleagues for recognizing the importance of this issue, and I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I would like to claim the time in opposition even though I'm not opposed to the amendment.

The CHAIR. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. DENHAM. Mr. Chairman, I would like to thank the gentleman from Missouri for his work on this amendment. Just as we saw the other Democratic amendment pass through on a voice vote, I assume we're going to see this one pass through on a voice vote as well, making both amendments actually language in the bill.

That could've been done a couple of other times tonight. We want to make sure we have got a bipartisan bill, that both parties can agree that we want to get rid of waste, that we want to get rid of properties we just don't need, and that we actually run a more efficient government.

But specifically on this amendment, again I'd like to thank the gentleman from Missouri for his work on this. This amendment would ensure that the General Services Administration accounts for the total cost in the design or lease of a building.

Very often GSA makes decisions that bind the taxpayer to significant financial obligations when procuring space. And unfortunately, currently GSA's analyses do not take into account the total life-cycle cost of the taxpayer investment. This amendment would correct this. I support the adoption of this amendment as I've supported other adoptions tonight.

Ms. JACKSON LEE of Texas. Will the gentleman yield?

Mr. DENHAM. I yield to the gentleman from Texas.

Ms. JACKSON LEE of Texas. I thank the gentleman for yielding.

I rise in support of Mr. CARNAHAN's amendment, and he ran out of time. First of all, I see a lot of comity and collegiality on the floor tonight. I've known the gentledady from the District of Columbia for a very long time. Mr. CARNAHAN said something that struck my conscience, and that is that we are able to master this legislative process that allows us to negotiate to the moment that we might get this on the floor, which I understand may be tomorrow.

I would encourage whatever it is possible to do, Mr. DENHAM. I've gotten to know you—whatever is possible for a bill as important as this. You mentioned the possibility of language, reconciliation. I cannot speak for the gentledady from the District of Columbia, and I don't intend to do so. But I do know her as a person who keeps her word, who loves this Capitol, which she represents, and has a deep and abiding concern about the homeless and obviously this issue of the use of property.

□ 2010

I only entreat you to see what is possible as you have debated on the floor this evening for Mr. CARNAHAN and my amendment. I would encourage that there be further discussions if you and the gentledady can secure that opportunity. I think both would be able to hopefully have dialogue, but I do want to have on record my high esteem and respect for her leadership on these issues. You are very kind to have yielded to me.

Mr. DENHAM. In reclaiming my time, I support the amendment, and look forward to bipartisan support on the bill tomorrow morning. This is something that taxpayers need. This is something that will help us to reduce our debt in a way in which Republicans and Democrats can come together and work on something on a bipartisan level and actually give something back to the President that he is asking for.

I yield back the balance of my time.

The CHAIR. The gentleman from Missouri has 1 minute remaining.

Mr. CARNAHAN. I want to thank the gentleman for his remarks.

The ranking member has asked to speak for the remaining time, so I would yield that 1 minute to our ranking member, the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. I thank the gentleman for yielding.

I support the Carnahan amendment, and I just want to indicate what the agreement was with the chairman.

In the base bill, we would have a bill that Democrats and Republicans would support. What we have here is a bill that somehow Republicans are divided on and that Democrats are expected to somehow carry over the finish line. If, in fact, this bill had come as a base bill, I think you would have had Democrats in larger numbers supporting this bill. Whatever Republicans wanted to do with the fact that the base bill did not always conform exactly to what they would have wanted would have been made up for on our side.

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

The amendment was agreed to.

Mr. DENHAM. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. AMODEI) having assumed the chair, Mr. WOODALL, 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. 1734) to decrease the deficit by realigning, consolidating, selling, disposing, and improving the efficiency of federal buildings and other civilian real property, and for other purposes, had come to no resolution thereon.

CONGRESSIONAL BLACK CAUCUS: VOTER PROTECTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 60 minutes as the designee of the minority leader.

Mrs. CHRISTENSEN. Thank you, Mr. Speaker.

This evening, the Congressional Black Caucus is pleased to have a few minutes of Special Order time to again come back to the issue of voter protection.

As we know, many States have either passed laws restricting voter participation in elections or are in the process of doing so. These attacks, as we said last week, have taken many forms. They've been expanding the ban that prevents felons from voting, cutting election administration budgets, curtailing early voting, and eliminating same-day registration.

Just in November, two members of the Congressional Black Caucus, KEITH ELLISON and GWEN MOORE, introduced a bill, the Voter Access Protection Act, which would protect those rights and restore same-day voter registration. The bill would reverse both the laws

that curtail early voting and that eliminate same-day registration. Some of these laws allow for the intimidation of voter registration groups. Some States are imposing strict ID requirements, creating barriers in getting the required ID and also putting up barriers to students who vote where they attend school.

Tonight, I am going to be joined by several Members, beginning with Congresswoman SHEILA JACKSON LEE from Texas, to again begin to raise the country's awareness of some of the voting restrictions that are being put in place across this country and to let the public know that the Congressional Black Caucus, just as we did last year, will go across the country to raise awareness of the need for jobs. We will have job fairs from which we have actually put people to work in several cities across this country. We've matched people who were out of work with jobs. We're still waiting for this Congress to pass jobs legislation, the American Jobs Act, and many of the other pieces of legislation that the CBC and other Members have put forth, but this time we're going to go across the country and focus on protecting the right of Americans to vote.

At this time, I would yield such time as she might consume to Congresswoman SHEILA JACKSON LEE of Texas.

Ms. JACKSON LEE of Texas. Let me thank Congresswoman CHRISTENSEN for her leadership as well as thank our chairman, EMANUEL CLEAVER. We had the opportunity to host him in Houston this past weekend, and he raised the issue of the challenges of voter protection.

I see that we are joined by our colleague from Ohio. MARCY KAPTUR has been a champion on these issues as well, and, frankly, has seen her State be in the crosshairs of trying to protect all citizens' right to vote.

I just want to follow up and say the Voting Rights Act is an act that dignifies all voters because its premise is one person, one vote. The tenets and the premise of the Voting Rights Act as passed: No matter what your background in this Nation, you have an opportunity to vote. If we keep with the integrity of the Voting Rights Act, the gist of its message is don't block individuals from voting. That's simply what its message is.

This is more than appropriate for which to rise to the floor today because this is the month of the birth of Barbara Jordan, February 21. Last year was her 75th year, and we're still commemorating it in Houston. She was, again, part mother of the Voting Rights Act by adding language minorities. By doing that, she spread the coverage of the Voting Rights Act beyond the Deep South, which was the original core group of States that was signed into law in 1965.

So I say thank you to the Honorable Barbara Jordan, one of our colleagues and a member of the Congressional Black Caucus. I stand here today to reject any undermining of the legislative

intent and the coming together of Republicans and Democrats who voted for that extension at the time she was in the United States Congress.

□ 2020

Now we've come more than 30-some years later. When we reauthorized the Voting Rights Act in 2007, there were a lot of rumors and thought that we were extinguishing the Voting Rights Act. In fact, I want to put all of our colleagues on notice that the Voting Rights Act is always, in essence, in the crosshairs or in jeopardy for people who believe wrongly about the Voting Rights Act.

The Voting Rights Act and protecting voters' rights, again, is to make sure that seniors, to make sure that the disabled, to make sure that those who face hardships—as we recall, there were enormous hardships during Hurricane Katrina, when the citizens of New Orleans were literally blocked from voting just because of the infrastructure collapse; and there were terrible conditions in Alabama and Missouri with tornadoes.

I recall the infrastructure of the 2004 election in Ohio when our dear, late colleague Stephanie Tubbs Jones, worked so hard, along with MARCY KAPTUR, to thwart the breakdown of machines. I remember it well. We came to the floor. We took issue with the election because how is it that, all of a sudden, you have a breakdown of voting machines, interestingly enough, in the minority community?

So this issue of voter protection is far-reaching. It is not necessarily as clear-cut as some would like to say, "It's for those people." It's not for "those people." In fact, it is for all Americans.

And right now, we have a dilemma. The dilemma is that we have an epidemic. Some 40 States have passed what we call voter ID. Texas happens to be one of those States. Ohio was one of those States—and I'm not going to give Ms. KAPTUR's comments, but I do want to congratulate Ohio for the work that they did. And she will tell you, it was in the crosshairs. Again, I use that frequently. It was conflicted, but it has been resolved; and she will, I'm sure, address that.

But there are other States who now are subjected to the oppressive, depressive voter ID law. In the instance of the State of Texas, might I say, that State allows you to use your gun license to vote; but a student State-issued ID cannot be used. Elderly people now have to travel miles, many of whom were born with midwives and missing birth certificates, as was my mother who held onto her voting card that she legitimately got until the end of her life. But she could not vote today because, try as we may, for Ivalita Jackson to find her birth certificate—we went halfway around the world and still were not able to secure a certified copy of her birth certificate. I knew she was born because she lived.

And then I have had seniors in my own district in wheelchairs, where they went with their family members to the site where they are to get their voter ID, waiting long hours.

Right now in the State of Texas, we don't have an election date. We don't even know what to tell our constituents about getting a voter ID because—thank goodness, if I might say—we're now presently being reviewed by the Department of Justice whether to preclear or not to preclear this voter ID law. I hope that truth will prevail that it is depressive and oppressive.

So I am very grateful that the Congressional Black Caucus will be traveling to cities in a variety of regions of this Nation, including our Southwest region, to argue vigorously for voter protections and for ensuring the protection of all people's right to vote. I hope, as we experienced in 2010, that the King Street Patriots who plagued our inner city precincts—many of whom I saw—will not intimidate our voters. I hope that when this election comes—for poll watchers and others that come into our voting areas, minority and poor areas, people who have the right to vote—that we will be there protecting everyone's right to vote.

Let me be very clear: Poor is not a respective color. It impacts all. And poor people who have difficulty in going somewhere to get a voter ID, or in some States paying \$40, a new poll tax, or can't get off from work, that's voter protection. You can imagine there are people who work who are afraid to ask their bosses for the allotted time off for them to be able to vote.

The efforts of the Congressional Black Caucus, joining with our colleagues, will stand up for each and every American. I am glad that President Lyndon Baines Johnson, a Texan—I was just marveling at him today; and his daughter, Luci Baines Johnson, joined us when we honored Barbara Jordan's 75th birthday just a few months ago. We will continue that with additional commemoration.

But the key is loving the right to vote, protecting the right to vote; and supporting the Voting Rights Act is not solely with respect to color. We welcome everyone who will accept the fact that it is our birthright, as citizens, to be able to not be thwarted and stopped and blocked from going to a poll and expressing our right to democracy.

Finally, let me say, I had the privilege of working for the Southern Christian Leadership Conference; and I might say, it wasn't that long ago. It was some years ago, but it wasn't that long ago. And my friends, let me tell you, I traveled throughout Georgia, South Carolina, North Carolina, Alabama, Mississippi, the core States, among others, that started out with Dr. King's great march and great efforts to push the Congress and the President toward recognizing how many people were left out of the right to vote. As a worker for the Southern

Christian Leadership Conference in the 1970s and beyond, I would go into places where people of African American descent were frightened to vote, were not registered to vote, were sharecroppers on plantations—and I venture to say that there are crises in communities like that even today. For us to go into those places was almost as if we were creating an overthrow of the government.

I remember very distinctly—and I will say it on this floor—going up to a leaning shanty building which was the place where these sharecroppers and others who lived in the area were supposed to be voting. The voting booth was, if you will, a ragged cloth covering an area that you allegedly were going to vote in. Sitting on the front porch of this tattered general store was a gentleman sitting with a rifle across his lap to suggest no one is welcome here. When I went up with my then rather young self, starry-eyed and trying to ask if this was the voting site, all I could hear my colleagues say is "Run; he has a gun." And the next thing I heard as we were bending down behind cars—something I had never heard that close to me—was shots ringing out. This is not a joke. This is not something we don't take seriously. I'll never forget that day for as long as I live, that someone would block anyone from coming to a sacred and somber place to cast a vote for a person of their choosing.

I want to thank the gentlelady for allowing me to participate, recognizing that this fight is a fight that we should never give up, and we should never categorize that voting rights is something about those minorities. Voting rights are American rights, and they're rights vested in the Declaration of Independence, which starts out by saying, We all are created equal, with certain unalienable rights of life, liberty, and the pursuit of happiness.

With that, I yield back to the gentlewoman, closing and saying, the right to vote is part of the pursuit of happiness.

Mr. Speaker, I rise today joined by my fellow Congressional Black Caucus Members to speak about a challenge facing millions of Americans. This challenge skews the Constitutional fabric of our American society. This fabric, woven together by liberty, justice, and equal rights, has endured tremendous odds throughout the history of this great nation.

During Black History Month, we celebrate the vast contributions of African Americans to our nation's history and identity. Throughout America's history, African American men and women have persevered through much hardship and prejudice to enrich our national life in innumerable ways.

There are new landmarks to celebrate as time marches forward. In November 2008, Americans elected the first African American to be President. In October 2011, the new Martin Luther King Jr. Memorial on the National Mall was dedicated. On February 22, there will be groundbreaking ceremony, on the National Mall near the Washington Monument, for the National Museum of African American

History and Culture, which Congress authorized in December 2003. It is expected to open in 2015.

The theme of Black History Month this year is “Black Women in American Culture and History.” This gives all Americans the opportunity to pay tribute to the role African American women have played in shaping our nation—with African American women often serving as champions of social and political reforms.

Many African American families are still bearing the brunt of the worst economic downturn since the Great Depression. In September, President Obama sent to Congress the American Jobs Act, which would strengthen the economy and is estimated to create 1.9 million jobs. Over the last several months, Republican obstruction has been blocking this bill from moving forward.

“Jobs and the economy are the number-one issue for African American families, just as they are for all American families,” commented Congresswoman SHEILA JACKSON LEE. “That is why my immediate focus is on fighting for a payroll tax cut for 20 million African American workers and to extend the lifeline of unemployment insurance for those who have lost a job through no fault of their own.

I will also continue to work for the enactment of other provisions of the President’s American Jobs Act, that create jobs by helping small businesses hire and grow, putting construction workers back on the job rebuilding America, and preventing the layoff of teachers, firefighters and police officers. These steps are critical to helping improve the lives of African American families all across the country.”

As we celebrate Black History Month let us pay tribute to the extraordinary contributions of past generations of African Americans and work to reignite the American Dream today and for the next generation. We must continue to work for an America that fully lives up to its ideals and allows all Americans to reach their full potential.

Today, Mr. Speaker, I rise to speak to this Body about the need to protect democracy, to protect the voice of the American people, and to ensure the right to vote continues to be treated as a right under the Constitution.

As we enter into Black History Month, it is important to recognize the legacy that the right to vote has placed upon our nation. Black History Month is a celebration of people who have gone before us and on whose shoulders we stand, of people who stand among us today transfixed on a goal to achieve even more. It is a time to pause and renew our commitment to realize the progress and achievements of our people and to go much further as we write our own chapter; a time to continue the legacy of African American History. Today, African Americans, as other minorities, know that we have not yet overcome the weight of not being treated as full citizens of this great nation.

During Black History Month, we recognize and celebrate the countless contributions of African American pioneers. These honorable men and women faced unimaginable hardships and refused to allow the racial inequalities and injustices of our past to inhibit their destiny. While we recognize these celebrated American heroes, it is important to understand that Black History Month was also designed to highlight the extraordinary lives of ordinary people who have helped build our great na-

tion. Let us celebrate the African Americans who made amazing sacrifices in the name of justice and equality in the past and let us recommit ourselves to continuing to work for an America that fully lives up to its ideals and ensures that every American has the tools and opportunity to pursue the American Dream. In the present era, our African American elected officials and the presidents of the various civil rights, fraternal, business and religious organizations continue to encourage our nation to keep its commitment to freedom and equality.

VOTING RIGHTS

Mr. Speaker, I am joined by my colleagues here today to call on all Americans to reject and denounce tactics and measures that have absolutely no place in this nation in 2012. We cannot turn the clock back on the progress made by African Americans, and other minorities, throughout the past century. We have made tremendous strides. Recent voter ID legislation in states has attempted to turn back the clock to disenfranchise millions of minorities in today’s America.

During this Black History Month, we recognize the value that voting has placed upon our society. In 1869, Americans voted to elect the first African American to the U.S. Senate—Hiram Revels. Also in 1870, the right to vote allowed Joseph H. Rainey to become the first black member of the U.S. House of Representatives. In 1962, Americans elected Augustus Hawkins, the first African American from California, to this great Body.

American citizens cast their ballots in 1968 to elect Shirley Chisholm as the first African American woman in Congress. In 1972, American citizens exercised their right to vote and elected the distinguished Barbara Jordan, who represented the 18th Congressional District of Texas that I am now privileged to serve. In 2008, Americans cast their ballots for Barack Obama, and elected him to become the first African American President of the United States. President Obama’s historical election has given hope to millions of African Americans across the country. In the face of great odds, the right to vote has given Americans the power to stand fast for justice and fairness, and yield to no one in the matter of defending the Constitution and upholding the most sacred principles of a democratic government.

As a Member of this body, I firmly believe that we must protect the rights of all eligible citizens to vote. Over the past decades, minorities in this country have witnessed a pattern of efforts to intimidate and harass minority voters through so-called “Voter ID” requirements. I am sad to report that as we are beginning 2012, these efforts continue.

African Americans have always believed in the principles set forth in the Declaration of Independence and the U.S. Constitution. I call on all Americans to band together to fight for these principles and against efforts to limit the right to vote for our elderly, African-Americans, Hispanic and Latino Americans, as well as Asian-American voters. Let us stand together for the voting rights that are granted to citizens of our nation by our laws and our Constitution.

I call on Americans to stand against any measures that would have the effect of preventing every eligible citizen from being able to vote. Voting ensures active participation in democracy. The most effective way to curb tactics of intimidation and harassment is to vote.

VOTING RIGHTS ACT

Never in the history of our nation, has the effect of one person, one vote, been more important. Our history has taught us that denying the right to vote based on race, gender or class is a blemish on the democratic principles that we all value. The Voting Rights Act (VRA) was a reaction to the actions of our past and a way to pave the road to a new future.

The VRA was adopted in 1965 and was extended in 1970, 1975, and 1982. This legislation is considered the most successful piece of civil rights legislation ever adopted by the United States Congress. The Act was due for reauthorization in the 2nd session of the 108th Congress. The 108th voted to continue to protect voting rights for all Americans in the future.

Under the VRA, states with a long history of voting discrimination must obtain the approval of the Justice Department or the D.C. District Court to change their voting practices. In 2006, Congress passed legislation that continued to grant all Americans the right to vote. Four states with new voter identification mandates, including my home state of Texas, South Carolina, Mississippi, and Alabama, are required under the Voting Rights Act to have these voting changes pre-cleared by either the Department of Justice (DOJ) or a panel of federal judges. Before they may be implemented, DOJ must certify that these laws do not have the purpose or effect of restricting voting by racial or language minority groups.

No right is more fundamental than the right to vote. It is protected by more constitutional amendments than any other right we enjoy as Americans. Broad political participation ensures the preservation of all our other rights and freedoms. State laws that impose new restrictions on voting, however, undermine our democracy by impeding access to the polls and reducing the number of Americans who vote and whose votes are counted.

CURRENT PRACTICES OF DISENFRANCHISEMENT

There have been several restrictive voting bills considered and approved by states in the past several years. The most commonly advanced initiatives are laws that require voters to present photo identification when voting in person. Additionally, states have proposed or passed laws to require proof of citizenship when registering to vote; to eliminate the right to register to vote and to submit a change of address within the same state on Election Day; to shorten the time allowed for early voting; to make it more difficult for third-party organizations to conduct voter registration; and even to eliminate a mandate on poll workers to direct voters who go to the wrong precinct.

A new crop of GOP governors and state legislators has passed a series of seemingly disconnected measures that could prevent millions of students, minorities, immigrants, ex-convicts and the elderly from casting ballots. Republicans have long tried to drive Democratic voters away from the polls. In a systematic campaign 38 states introduced legislation this year designed to impede voters at every step of the electoral process.

A dozen states have approved new obstacles to voting. Kansas and Alabama now require would-be voters to provide proof of citizenship before registering. Florida and Texas made it harder for groups like the League of Women Voters to register new voters. Maine repealed Election Day voter registration, which had been on the books since 1973. Florida,

Georgia, Ohio, Tennessee and West Virginia—cut short their early voting periods. Florida and Iowa barred all ex-felons from the polls, disenfranchising thousands of previously eligible voters. And 6 states controlled by Republican governors and legislatures—Alabama, Kansas, South Carolina, Tennessee, Texas and Wisconsin—will require voters to produce a government-issued ID before casting ballots.

Furthermore, 6 states have introduced legislation to impose new restrictions on voter registration drives run by groups like Rock the Vote and the League of Women Voters. The Republican-controlled legislature in Florida passed a law requiring anyone who signs up new voters to hand in registration forms to the state board of elections within 48 hours of collecting them, and to comply with a bombardment of burdensome, bureaucratic requirements. Those found to have submitted late forms would face a \$1,000 fine, as well as possible felony prosecution. As a result, the law threatens to turn civic-minded volunteers into unintentional criminals.

Florida and Ohio—which now have conservative Republican governors—have shortened the time for early voting for 2012. Early voting will be cut from 14 to 8 days in Florida and from 35 to 11 days in Ohio, with limited hours on weekends. In addition, both states banned voting on the Sunday before the election—a day when black churches historically mobilize their constituents.

The biggest change in election rules for 2012 is the number of states requiring a government-issued photo ID, the most important tactic in the Republican war on voting. In Texas, under “emergency” legislation passed by the GOP-dominated legislature and signed by Gov. Rick Perry, a concealed-weapon permit is considered an acceptable ID but a student ID is not. Republicans in Wisconsin mandated that students can only vote if their IDs include a current address, birth date, signature and two-year expiration date—requirements that no college or university ID in the state currently meets. As a result, 242,000 students in Wisconsin may lack the documentation required to vote next year.

In South Carolina, the 178,000 South Carolinians who do not have a state-issued ID must pay for a passport or a birth certificate to obtain the free state-issued ID now required to vote. Under the new law, many elderly black residents—who were born at home in the segregated South and never had a birth certificate—must now go to family court to prove their identity.

PROPOSERS

The proponents of voter identification legislation suggest that there is extensive voter fraud when Americans go to the polls. Mr. Speaker, I am here to lay that claim to rest. Laws requiring photo identification to vote are a “solution” in search of a problem. The fact is voter fraud in this United States is rare. There is no credible evidence that in-person impersonation voter fraud—the only type of fraud that photo IDs could prevent—is even a minor problem. Multiple studies have found that almost all cases of alleged in-person impersonation voter “fraud” are actually the result of a voter making an inadvertent mistake about their eligibility to vote, and that even these mistakes are extremely infrequent.

A major probe by the Justice Department between 2002 and 2007 failed to prosecute a

single person for going to the polls and impersonating an eligible voter, which the anti-fraud laws are supposedly designed to stop. Out of the 300 million votes cast in that period, federal prosecutors convicted only 86 people for voter fraud—and many of the cases involved immigrants and former felons who were simply unaware of their ineligibility.

According to Barnard political scientist Lorraine Minnite, most instances of improper voting involve registration and eligibility, such as voters filling out registration forms incorrectly or a person with felony convictions attempting to register. Neither of those issues would be prevented by a state photo ID requirement. According to George Washington University law professor Spencer Overton, a former member of the Commission on Federal Election Reform, “a photo ID requirement would prevent over 1,000 legitimate votes (perhaps over 10,000 legitimate votes) for every single improper vote prevented.”

There are people who believe that voter ID is required because perpetrators of voting fraud do not face serious legal consequences. Both federal and state laws include stiff fines and imprisonment for voter fraud. Under federal law, perpetrators face up to five years in prison and a fine of \$10,000 for each act of fraud. In Alabama, voter fraud is punishable by up to two years in prison and a \$2,000 fine. In Wisconsin, the punishment is up to 3½ years in prison and a \$10,000 fine. Missouri imposes a penalty of up to five years in prison and a \$10,000 fine. And in Texas, the maximum prison sentence is 10 years.

Mr. Speaker, proponents further suggest that requiring ID at the polls impact all voters equally. Well, Mr. Speaker, the truth is State photo ID restrictions disproportionately impact African Americans, Latinos, young voters, people over 65 and people with disabilities. The Advancement Project showed that 11 percent of eligible voters, or about 21 million people, don’t have updated, state-issued photo IDs: 25 percent of which are African Americans, 15 percent of those earning less than \$35,000, 18 percent of citizens age 65 or older and 20 percent of voters age 18 to 29.

Mr. Speaker, those who wish to restrict the right of Americans to vote believe that new voter ID laws are cheap and easy for states and citizens. Voter ID laws deny the right to vote to thousands of registered voters who do not have, and, in many instances, cannot obtain the limited identification states accept for voting. Many of these Americans cannot afford to pay for the required documents needed to secure a government issued photo ID. As such, these laws impede access to the polls and are contrary to the fundamental right to vote.

The Advancement Project’s report “What’s Wrong With This Picture?” shows that taxpayers will bear the costs of these measures—more than \$20 million in North Carolina, for example, to educate voters and provide free IDs to those without them, as the state’s law requires. For voters, even if an ID is free, getting the documents to obtain it can be expensive and difficult.

Many states require at least four original forms of identification to obtain a photo ID—documents such as a certified birth certificate, marriage or divorce record, adoption record, a Social Security card, or naturalization papers. A birth certificate in Texas costs \$22, a U.S. passport costs as much as \$145 and natu-

ralization papers can run up to \$200. People born out of state who lack transportation, work multiple jobs, have disabilities, or are homebound or poor cannot access or afford these documents.

Now that many states have reduced hours and locations of motor vehicle departments and other agencies because of budget cutbacks, getting an ID can be a battle. In Wisconsin, 25 percent of DMV offices are open one day a month or less, and fewer than half are open at least 20 hours a week. What can prospective voters who have to work or care for their children during these limited hours do but go without?

Mr. Speaker, current voter ID laws are based on partisan politics. The push for photo ID laws and other restrictions is largely championed by Republicans and conservative groups. Record rates of voter registration and turnout among young and minority voters in 2008 affected federal races across the nation, as about two-thirds of new voters registered as Democrats in the 29 states that record party affiliation. The 2010 midterms put more conservatives in office who want to combat this trend. The right-wing American Legislative Exchange Council, for example, drafted and promoted photo ID legislation that was introduced in more than 30 states.

IMPACT OF REQUIRING VOTER ID

These recent changes are on top of the disfranchisement laws in states that deprive minorities of their political voice. In total, more than 21 million Americans of voting age lack documentation that would satisfy photo ID laws and a disproportionate number of these Americans are low-income, racial and ethnic minorities, and the elderly. Minority citizens are less likely to possess government-issued photo identification. African-American citizens also disproportionately lack photo identification. Nearly 25% of African-American voting-age citizens have no current government-issued photo ID, compared to 8% of white voting-age citizens. Using 2000 census figures, this amounts to more than 5.5 million adult African-American citizens without photo identification. Further, about 16% of Hispanic voting-age citizens have no current government-issued photo ID.

It is important to focus on both expanding the franchise and ending practices which actually threaten the integrity of the elections, such as improper purges of voters, voter harassment, and distribution of false information about when and where to vote. None of these issues, however, are addressed or can be resolved with a photo ID requirement.

Furthermore, requiring voters to pay for an ID, as well as the background documents necessary to obtain an ID in order to vote is tantamount to a poll tax. Although some states issue IDs for free, the birth certificates, passports, or other documents that are required to secure a government-issued ID cost money, and many Americans simply cannot afford to pay for them. In addition, obtaining a government-issued photo ID is not an easy task for all members of the electorate.

According to the Brennan Center for Justice, citizens with comparatively low incomes are less likely to possess photo identification. Citizens earning less than \$35,000 per year are more than twice as likely to lack current government-issued photo identification as those earning more than \$35,000. At least 15 percent of voting-age American citizens earning

less than \$35,000 per year do not have a valid government-issued photo ID. Low-income individuals who lack the funds to pay for documentation, people with disabilities with limited access to transportation, and elderly citizens are less likely to possess government-issued photo identification. Nearly 18% of American citizens age 65 and above do not have current government-issued photo ID. Using 2005 census estimates, this amounts to more than 6 million senior citizens.

Americans, who never had a birth certificate and cannot obtain alternate proof of their birth in the U.S., are among those who face significant or insurmountable obstacles to getting the photo ID needed to exercise their right to vote.

In addition, women who have changed their names due to marriage or divorce often experience difficulties with identity documentation, as did Andrea, who recently moved from Massachusetts to South Carolina and who, in the span of a month, spent more than 17 hours online and in person trying without success to get a South Carolina driver's license.

Instances of voter intimidation are not long ago and far away. Just last year I sent a letter to U.S. Attorney General Eric Holder to draw his attention to several disturbing instances of voter intimidation that had taken place in Houston. In a single week there were at least 15 reports of abuse of voter rights throughout the city of Houston.

As a Senior Member of the House Judiciary Committee, I called for an immediate investigation of these instances. Many of these incidents of voter intimidation were occurring in predominately minority neighborhoods and have been directed at African-Americans and Latinos. It is unconscionable to think that anyone would deliberately employ the use of such forceful and intimidating tactics to undermine the fundamental, Constitutional right to vote. However, such conduct has regrettably occurred in Houston, and I urge you to take appropriate action to ensure that it does not recur.

A long, bitter, and bloody struggle was fought for the Voting Rights Act of 1965 so that all Americans could enjoy the right to vote, regardless of race, ethnicity, or national origin. Americans died in that fight so that others could achieve what they had been forcefully deprived of for centuries—the ability to walk freely and without fear into the polling place and cast a voting ballot.

VOTER ID

An election with integrity is one that is open to every eligible voter. Restrictive voter ID requirements degrade the integrity of our elections by systematically excluding large numbers of eligible Americans.

I do not argue with the notion that we must prevent individuals from voting who are not allowed to vote. Yet a hidden argument in this bill is that immigrants may “infiltrate” our voting system. Legal immigrants who have successfully navigated the citizenship maze are unlikely to draw the attention of the authorities by attempting to register incorrectly. Similarly, undocumented immigrants are even less likely to risk deportation just to influence an election.

If for no other reason than after a major disaster be it earth quakes, fires, floods or hurricanes, we must all understand how vulnerable our system is. Families fleeing the hurricanes and fires suffered loss of property that included lost documents. Compounding this was

the devastation of the region, which virtually shut down civil services in the area. For example, New Orleans residents after Hurricane Katrina were scattered across 44 states. These uprooted citizens had difficulty registering and voting both with absentee ballots and at satellite voting stations. As a result, those elections took place fully 8 months after the disaster, and it required the efforts of non-profits, such as the NAACP, to ensure that voters had the access they are constitutionally guaranteed.

We need to address the election fraud that we know is occurring, such as voting machine integrity and poll volunteer training and competence. After every election that occurs in this country, we have solid documented evidence of voting inconsistencies and errors. In 2004, in New Mexico, malfunctioning machines mysteriously failed to properly register a presidential vote on more than 20,000 ballots. 1 million ballots nationwide were flawed by faulty voting equipment—roughly one for every 100 cast.

Those who face the most significant barriers are not only the poor, minorities, and rural populations. 1.5 million college students, whose addresses often change, will also have difficulty providing documentation.

In fact, newly married individuals face significant barriers to completing a change in surname. For instance, it can take 6- 8 weeks to receive the marriage certificate in the mail, another two weeks (and a full day waiting in line) to get the new Social Security card, and finally three-four weeks to get the new driver's license. There is a significant possibility that this bill will also prohibit newlyweds from voting if they are married within three months of Election Day.

The right to vote is a critical and sacred constitutionally protected civil right. To challenge this is to erode our democracy, challenge justice, and mock our moral standing. I urge my colleagues to join me in dismissing this crippling legislation, and pursue effective solutions to the real problems of election fraud and error. We cannot let the rhetoric of an election year destroy a fundamental right upon which we have established liberty and freedom.

Mrs. CHRISTENSEN. I thank you for coming and for making that very strong presentation and for sharing that story with us which lets us know that, not so very long ago, people were really blocked from voting and took their lives in their hands just trying to exercise that simple right, the right to vote.

I would like to now yield to our colleague from Ohio, Congresswoman MARCY KAPTUR.

□ 2030

Ms. KAPTUR. I want to thank Dr. CHRISTENSEN for holding this very, very important Special Order as we begin Black History Month here in the United States and say how proud I am to serve with her, her path-breaking work in health care, leading us to coverage for all, to Congresswoman SHEILA JACKSON LEE. I had not heard that story, what she personally has lived and helped push America forward to a new day. It is my distinct pleasure and honor to be here with them tonight.

I wanted to participate in this Special Order because of what we are going through in Texas and Ohio and Florida, and around this country with redistricting. It is true that Ohio, because the population hasn't grown, has to lose two seats. But we have seen a redistricting like none other. I wanted to put some of this on the record because I think scholars around the country and young people studying could really take a look at what has happened in this recent redistricting that I think has a subtle and very insidious agenda that isn't immediately apparent to the eye.

I had a woman come up to me yesterday in a church in Ohio. She happened to be an African American woman. She said: I want to ask you a question, Congresswoman. Why is my voting location changed all of the time? Why is my precinct flipped all the time?

I said: You know, ma'am, I know something is going on here that isn't good. Ohio was never technically a voting rights State, but there's something strange. And I thought I would put on the record some of what's strange about what's happening in Ohio.

Individuals like herself constantly have to go to a different precinct. She never moved her house. She lives in the same place. A lot of people maybe don't realize that their precinct has been changed, and some percent of people will not go to the other precinct. It may be a small percent. It may be 0.02 percent; but you add that up around a State that votes 50/50, and you begin to see a fall off in voting.

I can tell you this, and I wish to place this on the Nation's record tonight: for every Republican Congress Member from Ohio who sits here, and they have the majority, 13 out of 18, their home county was kept whole. Every single one. But for every Democrat—there are only five of us out of 18—their home county was crashed and broken up into parts.

Every urban county, if you look around at the five of us who are here: Cuyahoga has been split into four parts in a very strange way; Lucas County is missing its western half now; you go down to Akron, you look at that county, cities like Parma, Parma, Ohio, one of the largest cities in Ohio, sliced in half. What do those places all have in common? They all happen to be urban areas. They have mixed populations. They have diversity. They like people who aren't like themselves. They like the diversity of life. Those communities have been hacked apart in Ohio.

Our colleague, Congresswoman BETTY SUTTON, 42 percent of the precincts in her new district are broken. That means booth workers can make mistakes. More than one Member of Congress is running in that precinct. Sometimes as many as three are running in the same precinct. When that goes on the ballot, do you realize how much confusion, even if everybody has an IQ of a gazillion, somebody is going to go in the booth and put the wrong

vote on the ballot because of the confusion with so many Members running in the same precinct.

Booth workers will make mistakes. And just like the woman I mentioned at the beginning whose precinct keeps changing although she hasn't moved, there is a certain percentage of error involved in that. And it's happening in the Democratic areas, not the Republican.

So I would say this: I would ask those who are listening tonight to think about really peeling apart the layers of this redistricting in places like Texas and Ohio and look at the subtle nature of the type of gerrymandering that's being done around the country. Communities are being hacked apart. Communities of interest are being hacked apart.

Doesn't Parma, Ohio, have the right to be its own city? It's hard enough to get things done across communities where needs are great. We have so many people losing their homes. There's all kinds of problems in this country with the unemployment, but we make it harder for communities to hold together. There seems to be something un-American about that. There seems to be something really ugly, something very insidious when it pulls people apart rather than holds them together.

We have one Congressman, actually a Republican from the other side of the aisle. Ohio has 88 counties. Do you know how many counties they put in his district, 20; 20 out of 88. That means 60 county commissioners. Can you imagine how many mayors? Unbelievable. This makes no sense. But it's what happened. And I am very concerned, as my colleagues are, about what happens to people who are elderly, who can't travel far, who sometimes have trouble seeing.

And as you start switching things around and you make it more difficult, even I notice the way they print the absentee ballots in Ohio—I'm glad to have them early—but you need a magnifying glass to see the letters when we know that the population in many of these urban areas are a high percentage of senior citizens.

There's something very un-American, something very unfriendly about what is going on here. It makes me think about the Voting Rights Act and maybe strengthening it and taking a particular look at urban areas that are being broken up in very, very strange ways. You can't even explain, the lines don't even make any sense where they are putting them in urban areas. It's like they are shattering communities of interest. There's something really wrong about that.

I wanted to say also to Congresswoman CHRISTENSEN, in Ohio we've had a lot of great African Americans. I've had the opportunity to serve with some of them here, and I would like to place in the RECORD tonight the names of some of them in honor of Black History Month.

One of the individuals I would like to talk about is a great writer, Toni Morrison, a woman who was born in Lorain, Ohio, now part of the Ninth Congressional District. We know how important Black History Month is because it's the time of the year to reflect and be thankful for the countless contributions of African Americans like Ms. Morrison who have made enduring contributions to American life and to world history.

This year's Black History Month theme is "Black Women in American Culture and History." And I would say this Caucasian woman is very proud to join my colleagues of color and say that I'm glad it's all women down here tonight for the moment because, really, our voices need to be magnified, and certainly Ms. Morrison did that. In honoring women, we honor her. She is exactly the type of person we should be recognizing, given this Black History Month's theme, for her work in American literature.

She is a Pulitzer Prize-winning author and became the first black woman to win the Nobel Prize in literature, making her the 90th Nobel Laureate in literature. She came from Lorain, Ohio. She didn't come from the places that are known as the cultural meccas. She came from a tough place where people work hard for a living. She was born during the Great Depression in that working-class city. Ms. Morrison showed an interest in literature at an early age. Through hard work, she received degrees from Howard University here and Cornell. She subsequently taught at Texas Southern University, Howard University, Yale, and Princeton. Her contributions to American history come from her six novels. During her Nobel Prize ceremony, the Permanent Secretary of the Academy said: "In her depictions of the world of the black people, in life as in legend, Toni Morrison has given the Afro-American people their history back, piece by piece."

Mr. Speaker let us take time to fully recognize the contributions of Toni Morrison and the many others during this year's Black History Month. While the United States is facing many challenges today, it is incumbent upon us to ensure that the work of leaders such as Toni Morrison do not go unnoticed.

I just wanted to mention, also, she penned a story about a girl from her childhood who prayed for blue eyes. I happen to have blue eyes. I never thought about that. She said this was the basis for her first novel, "The Bluest Eye," published in 1970. I have to say I admire the African American people because I always wanted curly hair, and I never really had it. So you see, we learn from one another and appreciate from one another.

In concluding tonight, let me say that I wish to place in the RECORD from the Cleveland Plain Dealer a wonderful story honoring the achievements of great African Americans who have come from our part of America. There

are a few whose names I would like to read into the RECORD: Langston Hughes, playwright, poet and writer; our dear beloved colleague, Stephanie Tubbs Jones, the first black woman to be elected to Congress from Ohio. I miss her to this day. I have her picture in my office. Halle Berry, the first black woman to win an Academy Award as best actress. Think about that.

□ 2040

Carl B. Stokes was the first black mayor—first black mayor—of a major American city, and it was Cleveland, Ohio—Cleveland, Ohio. We are so proud of that. And I was proud to serve with his bother, Louis Stokes, who was here for so many years, who preceded me on the Appropriations Committee.

I could go on, Mr. Speaker. There are others who wish to speak tonight. But I have to say, I'm proud to be an Ohioan, one of the States that was always a free State, home of the Underground Railroad as it came through, and people disembarked and escaped for their lives to places like Canada through northern Ohio, through the communities that I am privileged to represent now.

I am very proud to stand with my colleague, Dr. CHRISTENSEN, here tonight, in honoring all Americans, certainly in this Black History Month, and what they have taught us over our centuries about full representation and the decent and fair treatment of people. What a legacy they have given and continue to create for our country. I want to thank the gentlelady for yielding to me this evening.

[From Cleveland.com—The Plain Dealer, Feb. 2, 2012]

TONI MORRISON, AUTHOR, WON PULITZER, NOBEL PRIZES: BLACK HISTORY MONTH
(By Ellen Kleinerman)

As part of Black History Month, we recognize Toni Morrison, a Pulitzer Prize-winning novelist and the first black woman to win a Nobel Prize in literature.

Morrison, born Chloe Anthony Wofford in 1931, grew up during the Great Depression in a working-class neighborhood in Lorain, where European immigrants, Mexicans and Southern blacks lived. As a child, Morrison listened intently to the stories her parents, Ramah and George Wofford, told of the traditions and struggles of blacks in the South.

Morrison earned a B.A. at Howard University in 1953 and an M.A. at Cornell University in 1955 in humanities. At Howard, she met Jamaican architect Harold Morrison. They married in 1958, had two sons and divorced six years later. For a temporary escape from her unhappy marriage, Morrison joined a small writer's group, where she penned a story about a girl from her childhood who prayed for blue eyes. This was the basis for her first novel "The Bluest Eye," published in 1970.

Morrison worked for Random House publishing and taught at several universities including Yale and Princeton.

Her novel "Beloved," about a captured slave woman who tried to kill her children rather than see them live as slaves, won the Pulitzer in 1988. She won the Nobel Prize in 1993

[From Cleveland.com—[The Plain Dealer, Feb. 2, 2012]

HONORING ACHIEVEMENTS

As part of Black History Month, The Plain Dealer will recognize accomplishments of the region's black community. The newspaper will profile important people, places and events daily through February.

This is the second year that the paper has published a monthlong series of profiles for Black History Month. Go to cleveland.com/specialreports to see profiles from last year.

Last year's list included:

Langston Hughes, playwright, poet and writer

Larry Doby, the first black player in the American League

Garrett A. Morgan, inventor of the gas mask and traffic signal

St. John's Episcopal Church, one of the stops on the Underground Railroad

Stephanie Tubbs Jones, first black woman elected to Congress in Ohio

Charlie Sifford, first black golfer on the PGA Tour

Frank Robinson, first black manager of a major-league baseball team

Jesse Owens, track gold medalist

The Rev. Otis Moss, Jr., civil rights leader Cleveland Buckeyes, Negro League Baseball team

Thomas Fleming, first black Cleveland councilman

Jim Brown, Cleveland Browns fullback and NFL Hall of Famer

Bertha Josephine Blue, taught Italian immigrants English

John Patterson Green, first black state senator from the North

Halle Berry, first black woman to win an Academy Award as best actress

Harry Edward Davis, second black in the Ohio Senate

John O. Holly, Jr., civil rights leader

Mary B. Martin, the first black woman elected to the Cleveland Board of Education

Eliza Bryant, created first facility for aging blacks

League Park, supported the Negro League during segregation

Carl B. Stokes, first black mayor of a major American city

Arsenio Hall, comedian, actor and late-night talk show host

Jane Edna Hunter, nurse, lawyer and social worker who founded the Phillis Wheatley Association

Harrison Dillard, Olympic gold medalist

President Barack Obama's 2008 rally

Phillis Wheatley Association, helped black women who migrated from the South

Central High School, allowed black students to enroll before the Civil War

Karamu House, the longest-running black arts and theater center in the country

Chester Himes, first black mystery writer

Mrs. CHRISTENSEN. Well, thank you. We appreciate your joining us and pointing out some of the inconsistencies that are occurring in Ohio and also paying tribute to Toni Morrison.

We do have one of the gentlemen of the Congressional Black Caucus joining us tonight, and that is Congressman AL GREEN of Texas, a leader in his area in the NAACP for many years, and now a leader in the Congress and all the time a leader of our country.

Thank you for joining us, Congressman AL GREEN.

Mr. AL GREEN of Texas. Thank you very much for yielding to me. I greatly appreciate it. And, of course, I want to thank all of the members of the CBC for the stellar work that has been done

in this area of publishing the history of Africans in the Americas, known as African Americans.

I'd like to, tonight, just address a very simple topic that has a lot of meaning, the whole notion that great people will always rise to the occasion. However, it also takes great people to make the occasion; and on occasions such as this, we often mention the great ones: the great Thurgood Marshall, the great litigator that he was, winning more than 29 cases, I believe, before the Supreme Court of the United States of America.

But in talking about the cases that he won, approximately 29 is what I recall, we also should remember that there were other persons who helped to make the occasion for the great Thurgood Marshall who went on to become a Justice on the Supreme Court of the United States of America. One such person would be Charles Hamilton Houston.

A great story about Charles Hamilton Houston, he was the person who produced the strategy that the Honorable Thurgood Marshall followed to help the NAACP litigate the cases that went before the Supreme Court, more specifically, the case of Brown v. Board of Education, which helped us to integrate society by way of desegregation.

There's a story about Thurgood that many people are not aware of. He applied to the University of Maryland Law School and he was denied access because of his color. And I'm not angry with the University of Maryland. As a matter of fact, it was because they rejected him that he went to Howard University, where he met the Honorable Charles Hamilton Houston. And it was there that their friendship blossomed such that Thurgood acquired this intelligence about the strategy to use the Constitution and litigation to bring about a more perfect Union.

The interesting story, however, is not complete unless we go on to talk about how Thurgood, who graduated at the top of his class, went on to practice law, and one of his first cases involved a person who was denied access to the University of Maryland. He won that lawsuit. So history has a way of causing persons who have been rejected to have the opportunity to make a difference in the lives of other persons who may be similarly situated.

I am so honored that Thurgood Marshall finished at Howard University and went to become chief litigator for the NAACP; but all of this was predicated upon his having a great relationship with another person who made headway, did not necessarily make the same kind of headlines, the honorable Charles Hamilton Houston.

We talk about the Honorable Rosa Parks and how she took a seat and ignited a spark that started the civil rights movement, but there was another person who took a seat before Rosa who was arrested, handcuffed, and taken to jail. She was a 15-year-old girl. Her name was Claudette Colvin.

She, too, suffered the same fate as the Honorable Rosa Parks, but she didn't make the headlines. She did make headway such that when the Honorable Rosa Parks was arrested, it became more of a story. Of course, Rosa Parks had status in the community, and that was, in no small way, a contribution to her receiving the attention that she did.

And, by the way, Rosa Parks wasn't just tired. She was tired in the sense that she was tired of injustice, and she took a stand against injustice because she was tired of injustice.

The interesting thing about this story is that the bus boycott that took place didn't end because of the boycott alone. I think that had something to do with it because it probably helped to shape public opinion. But there were three other females who filed a lawsuit that made its way to the Supreme Court of the United States of America: Browder, McDonald, and Smith. It was that lawsuit that they won, they made headway. They didn't make the lasting headlines, but they made the difference in the Montgomery bus boycott.

And, of course, we always talk about Dr. King, and we should, because he paid the ultimate price. He made the ultimate sacrifice. But we should not forget that before Dr. King marched from Selma to Montgomery, there were others who set out to march from Selma to Montgomery, and they did not make it across. Well, they made it across the Edmund Pettus Bridge, but that was where they met strong resistance from officers who had billy clubs, and they resisted the marchers. They didn't resist them; they actually took them on, and they beat them all the way back to the church where they started.

I enjoy hearing JOHN LEWIS tell the story not because of the suffering, but because he tells it in such a way as to cause me to have some degree of appreciation for what they went through on Bloody Sunday and how they paid a price. There were many people there on Bloody Sunday. The Honorable JOHN LEWIS was among them. They made headway and they made headlines, but their names have not been mentioned. And these are the people who made the occasion such that the Honorable Dr. Martin Luther King would come to Selma and proceed with the march that eventually took them from Selma to Montgomery. They made headway. They didn't always make headlines, but they made a great contribution.

And, of course, we know of the Honorable Barack Obama, the first African American President of the United States of America, who did not get there because of his color. He is President because he is capable, competent, and qualified. But before he ran, there was a woman who ran, the Honorable Shirley Chisholm. She was the first African American to run for President from a major political party. She didn't get the nomination of the party, but she did run from a major political party.

So we should remember that for every James Chaney, there were persons who were in the shadows who made a difference. JOHN LEWIS was one of them. For every Thurgood Marshall, there's a Charles Hamilton Houston who mentored, who made a difference in the life of a Thurgood Marshall such that he could go on to do the great things that he did. For every Rosa Parks, there is a person who is in the shadows, who made a difference, who helped to make the occasion such that Rosa Parks could rise to the occasion by taking a seat and igniting a spark that started the civil rights movement.

Let us remember not only the persons who made the great headlines that we continually recognize, but let's remember that there were other persons who made great headway who don't get the recognition today that they merit, but they were a part of this great movement for liberty and justice for African Americans across the length and breadth of this country.

□ 2050

At some point, I shall talk about persons who were of many hues who also participated in this great movement, because we didn't get here by ourselves. There were many persons of many colors who marched and protested. Many of them gave their lives to this movement as well—John Shillady comes to mind, who was beaten in Austin, Texas, and as a result of that beating lost his life. He was an NAACP'er, he was Anglo. Of course we know about Goodman and Chaney and Schwerner. And two of them, of course, were not African Americans, Schwerner and Goodman.

So I think that on occasions like this we should always celebrate the great and noble African Americans who made great sacrifices, remember those who were in the shadows, and also remember that there were others of many hues, of many ethnicities and many religions who were right there with us to help us arrive at this point in our history.

And I thank you so much for this time to mention some of the great ones, and some of those who were great but did not receive the acclaim that they richly deserve. And I thank you again. God bless you, and God bless America.

Mrs. CHRISTENSEN. Thank you, Congressman GREEN. And thank you for reminding us of the many, many unsung heroes and heroines on whose shoulders we also stand here today.

This is Black History Month, and on many occasions throughout February the Congressional Black Caucus will be here on the floor to talk about the ones that we know and those that we don't hear much about. There is a lot of our history that of course we're very proud of—the Long March to Freedom, the march for the right to vote, and today, where we now have 43 members of the Congressional Black Caucus. But we also have history that we're not going

back to; and SHEILA JACKSON LEE, when she was speaking earlier, reminded us of some of that history.

Going back to the other topic of our Special Order, the right to vote and protecting that right to vote, tomorrow the Congressional Black Caucus, led by our chairman, Reverend Congressman EMANUEL CLEAVER, will be submitting a House resolution condemning the passage of legislation that would unduly burden an American citizen's ability to vote, and opposing any State election law or proposed legislation that would have a disproportionate impact on vulnerable communities across this country.

When we introduce this, I think this is clearly a resolution that would signify the sense of Congress. It should be a resolution that every Member, Republican and Democrat, should support, supporting the right of every American citizen to vote freely and to have that vote counted. And we would invite all of the Members of the House to join us in that resolution, to become cosponsors, and we would ask the leadership to bring it to the floor for a vote.

Again, it condemns the passage of legislation that would unduly burden an American citizen's ability to vote and opposes any of those State election laws or proposed laws that would have a disproportionate impact, because historically we know that people of color have been barred from voting.

The passage of these restrictive voting laws, the resolution reminds us, is reminiscent of the Jim Crow-era poll taxes and literacy tests that disenfranchised thousands of African Americans. It also reminds us that these laws do more to suppress the right to vote than to protect our electoral system. There's a lot of talk about these laws being passed and proposed because of fraud in the election system, but there's no proof that there is any fraud. So these laws are really about suppressing the right to vote.

GENERAL LEAVE

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of this Special Order.

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

There was no objection.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to speak about the significance of February as Black History Month. Black History Month was first observed in 1976, and has become a successful effort to bring a greater understanding of African American history to all people in the U.S. Since the first observance of Black History Month, this country has seen increased recognition of the numerous contributions and sacrifices that African Americans have made throughout the United States.

From the pioneering inventions of Garrett A. Morgan, to the famous writings of Maya

Angelou, African Americans have been responsible for many of the successes and innovations that have defined our Nation. Since Black History Month was first conceived, we recognized these ground-breaking accomplishments and celebrated them together as a country.

However, every great triumph is not without tribulation. Much of what Black History Month is about is the recognition of the suffering that African Americans have had to endure. After slavery was abolished, Black Americans still faced racial intolerance and inequality. We need only to look to history to reflect on a period when African Americans were denied the right to vote.

Even with passage of the Fifteenth Amendment to the U.S. Constitution, many still chose to circumvent the law and disenfranchise voters. From literacy tests to poll taxes, these tactics were designed to keep U.S. citizens from exercising their right to vote, and to have a voice in a diverse democratic system. It was not until the Voting Rights Act of 1965 was ultimately enacted that these menacing policies were outlawed.

Mr. Speaker, Black History Month goes further than just the recognition of African Americans and their distinct role in shaping U.S. history. Black History Month is very much about our struggle as a Nation to uphold our democratic principles of fairness and equality for all. The struggle and triumph that is honored during this important time has come to benefit every American—regardless of their gender, race, or creed—by furthering a culture of equality, fairness, and justice. These important lessons from our past are ones that we must never forget as we move triumphantly into the future.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLYBURN (at the request of Ms. PELOSI) for today on account of attending a funeral.

Mr. ENGEL (at the request of Ms. PELOSI) for today on account of official business.

Mr. LYNCH (at the request of Ms. PELOSI) for today.

Mr. REYES (at the request of Ms. PELOSI) for today on account of medical reasons.

Mr. VAN HOLLEN (at the request of Ms. PELOSI) for today.

Mr. POE of Texas (at the request of Mr. CANTOR) for today on account of official business.

Ms. BUERKLE (at the request of Mr. CANTOR) for today on account of official business.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on February 6, 2012 she presented to the President of the United States, for his approval, the following bill.

H.R. 588. To redesignate the Noxubee National Wildlife Refuge as the Sam D. Hamilton Noxubee National Wildlife Refuge.

ADJOURNMENT

Mrs. CHRISTENSEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, February 7, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4856. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — European Larch Canker; Expansion of Regulated Areas [Docket No.: APHIS-2011-0029] received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4857. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement; New Designated Country-Armenia (DFARS Case 2011-D057) [Docket No.: DARS-2011-0082-0002] (RIN: 0750-AH48) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4858. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement; Trade Agreements Thresholds (DFARS Case 2012-D005) (RIN: 0750-AH50) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4859. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement; Pilot Program for Acquisition of Military-Purpose Nondevelopmental Items (DFARS Case 2011-D034) received January 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4860. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4861. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Incorporation of Revised ASTM Standards that Provide Flexibility in the Use of Alternatives to Mercury-Containing Industrial Thermometers [EPA-HQ-OPPT-2010-0581; FRL-8880-4] (RIN: 2070-AJ51) received January 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4862. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Placer County Air Pollution Control District [EPA-R09-OAR-2011-0536; FRL-9618-2] received January 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4863. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Antelope Valley

Air Quality Management District and Imperial County Air Pollution Control District [EPA-R09-OAR-2011-0987; FRL-9617-4] received January 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4864. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Milford, Utah) Station KCLS(FM), Pioche, Nevada; Station KPLD(FM), Kanab, Utah [MB Docket No.: 10-64] received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4865. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Policies to Promote Rural Radio Service and to Streamline Allotment and Assignment Procedures [MD Docket No.: 09-52] received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4866. A letter from the Deputy Bureau Chief, PSHSB, Federal Communications Commission, transmitting the Commission's final rule — Amending the Definition on Interconnected VoIP Service in Section 9.3 of the Commission's Rules; Wireless E911 Location Accuracy Requirements; E911 Requirements for IP-Enabled Service Providers [GN Docket No.: 11-117] [PS Docket No.: 07-114] [WC Docket No.: 05-196] received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4867. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Brand-Name Specifications [FAC 2005-55; FAR Case 2005-037; Item III; Docket 2006-0020, Sequence 26] (RIN: 9000-AK55) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4868. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Time-and-Materials and Labor-Hour Contracts for Commercial Items [FAC 2005-55; FAR Case 2009-43; Item IV; Docket 2010-0100, Sequence 1] (RIN: 9000-AL74) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4869. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Public Access to the Federal Awardee Performance and Integrity Information System [FAC 2005-55; FAR Case 2010-016; Item V; Docket 2010-0016, Sequence 1] (RIN: 9000-AL94) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4870. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Updated Financial Accounting Standards Board Accounting References [FAC 2005-55; FAR Case 2010-005; Item VI; Docket 2010-0005, Sequence 1] (RIN: 9000-AM00) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4871. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — General Services Administration Acquisition Regulation; Implementation of Information Technology Security Provision [GSAR Amendment 2011-03; GSAR Case 2011-G503; (Change 52) Docket 2011-0012, Sequence 1]

(RIN: 3090-AJ15) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4872. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendments [FAC 2005-55; Item VII; Docket 2011-0078; Sequence 4] received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4873. A letter from the Senior Program Manager, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30818; Amdt. No. 3457] received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4874. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Harmonization of Airworthiness Standards for Transport Category Airplanes — Landing Gear Retracting Mechanisms and Pilot Compartment View [Docket No.: FAA-2010-1193; Amdt. No. 25-136] (RIN: 2120-AJ80) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4875. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Chemical Mixtures Containing Listed Forms of Phosphorus and Change in Application Process [Docket No.: DEA-228F] (RIN: 1117-AA66) received December 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOODALL: Committee on Rules. House Resolution 539. Resolution providing for consideration of the bill (H.R. 3581) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to increase transparency in Federal budgeting, and for other purposes (Rept. 112-388). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. NORTON:

H.R. 3902. A bill to amend the District of Columbia Home Rule Act to revise the timing of special elections for local office in the District of Columbia; to the Committee on Oversight and Government Reform.

By Ms. BALDWIN:

H.R. 3903. A bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers; to the Committee on Ways and Means.

By Mr. REHBERG:

H.R. 3904. A bill to modify the commencement date of the active force drawdown period used for the reimplementation of the temporary early retirement authority granted to the Secretary of Defense as an additional force management tool with which to effect the drawdown of military forces; to the Committee on Armed Services.

By Mr. BACA:

H.R. 3905. A bill to authorize the Secretary of Agriculture to award grants for the establishment of veterans gardens that are operated by veterans and designed to produce food that can be sold to individuals, schools, and restaurants; to the Committee on Agriculture.

By Mr. BISHOP of New York:

H.R. 3906. A bill to amend the Atlantic Striped Bass Conservation Act to allow recreational fishing for Atlantic Striped Bass in the Block Island Sound transit zone; to the Committee on Natural Resources.

By Ms. HIRONO:

H.R. 3907. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating certain lands along the northern coast of Maui, Hawaii, as a unit of the National Park System; to the Committee on Natural Resources.

By Ms. HIRONO:

H.R. 3908. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating the Ka'u Coast on the island of Hawaii as a unit of the National Park System; to the Committee on Natural Resources.

By Mr. MARINO:

H.R. 3909. A bill to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself, Mr. GARAMENDI, Ms. ZOE LOFGREN of California, Ms. ESHOO, Ms. SPEIER, and Mr. STARK):

H.R. 3910. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, and for other purposes; to the Committee on Natural Resources.

By Mr. RIBBLE (for himself, Mr. RIGELL, and Mr. SCOTT of South Carolina):

H.J. Res. 101. A joint resolution proposing an amendment to the Constitution of the United States providing for Representatives to be chosen every four years, and limiting the number of times Senators and Representatives may be elected; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. NORTON:

H.R. 3902.

Congress has the power to enact this legislation pursuant to the following:

Clause 17 of section 8 of article I of the Constitution.

By Ms. BALDWIN:

H.R. 3903.

Congress has the power to enact this legislation pursuant to the following:

Sections 7 & 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. REHBERG:

H.R. 3904.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3, the Commerce Clause.

By Mr. BACA:

H.R. 3905.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 12, 13, 14, and 18.

By Mr. BISHOP of New York:

H.R. 3906.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. HIRONO:

H.R. 3907.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. HIRONO:

H.R. 3908.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution 30

By Mr. MARINO:

H.R. 3909.

Congress has the power to enact this legislation pursuant to the following:

(1) Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States

(2) Article I, Section 9, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. GEORGE MILLER of California:

H.R. 3910.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. RIBBLE:

H.J. Res. 101.

Congress has the power to enact this legislation pursuant to the following:

The constitutional amendment authority and process set forth in Article V of the U.S. Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 32: Mr. HURT and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 104: Mr. KELLY.

H.R. 126: Mr. CRAVAACK.

H.R. 178: Ms. HAHN.

H.R. 191: Ms. HAHN.

H.R. 192: Mr. ROTHMAN of New Jersey and Mrs. MALONEY.

H.R. 284: Ms. HAHN.

H.R. 287: Ms. HAHN.

H.R. 374: Mr. WILSON of South Carolina, Mr. DESJARLAIS, Mr. MCHENRY, and Mr. WEBSTER.

H.R. 376: Mr. OWENS.

H.R. 476: Mr. BUCHANAN.

H.R. 494: Mr. DOYLE and Mr. TOWNS.

H.R. 511: Mr. HASTINGS of Florida and Ms. WILSON of Florida.

H.R. 615: Mr. YOUNG of Indiana, Mr. GIBBS, and Mr. FORBES.

H.R. 718: Mr. ELLISON.

H.R. 733: Mr. HALL and Mrs. CHRISTENSEN.

H.R. 870: Mr. KUCINICH.

H.R. 876: Ms. ZOE LOFGREN of California.

H.R. 890: Mr. GUTIERREZ.

H.R. 965: Ms. HAHN.

H.R. 1041: Mr. MEEHAN.

H.R. 1090: Mrs. LOWEY.

H.R. 1148: Mr. BARTLETT and Mr. FLEISCHMANN.

H.R. 1179: Mr. TURNER of New York, Mr. WHITFIELD, Mr. MEEHAN, Mr. POSEY, Mr. BRADY of Texas, Mrs. MILLER of Michigan, Mr. MCHENRY, Mr. ROYCE, Mr. GINGREY of Georgia, Mr. FINCHER, Mr. MICA, Mr. THOMPSON of Pennsylvania, Mr. BOUSTANY, Mr. ROGERS of Alabama, and Mr. COLE.

H.R. 1195: Ms. HAHN.

H.R. 1259: Mr. DIAZ-BALART, Mr. COLE, Mr. GOSAR, and Mr. FORBES.

H.R. 1385: Mr. FORBES.

H.R. 1402: Ms. HAHN.

H.R. 1672: Mrs. DAVIS of California and Mr. LUETKEMEYER.

H.R. 1739: Mr. LOBIONDO.

H.R. 1744: Mr. CALVERTE.

H.R. 1777: Mr. FLAKE, Mr. LAMBORN, and Mr. GOWDY.

H.R. 1873: Mr. CLEAVER.

H.R. 1980: Mr. DUNCAN of South Carolina.

H.R. 1997: Mr. MICHAUD.

H.R. 2106: Mr. BONNER, Mr. SCHOCK, and Mr. TURNER of New York.

H.R. 2131: Mr. WILSON of South Carolina.

H.R. 2206: Mr. RIGELL and Mr. RIBBLE.

H.R. 2288: Ms. JENKINS.

H.R. 2295: Mr. UPTON.

H.R. 2367: Mr. COFFMAN of Colorado.

H.R. 2376: Mr. ELLISON.

H.R. 2487: Mr. BROUN of Georgia.

H.R. 2492: Mr. FORBES.

H.R. 2499: Mr. TOWNS.

H.R. 2513: Ms. PINGREE of Maine.

H.R. 2529: Mr. ROE of Tennessee.

H.R. 2569: Mr. RIVERA.

H.R. 2595: Mr. CLAY.

H.R. 2600: Mr. CICILLINE.

H.R. 2621: Mr. HEINRICH.

H.R. 2679: Mr. DOYLE.

H.R. 2738: Ms. SCHAKOWSKY.

H.R. 2746: Mrs. CAPPS and Mr. MORAN.

H.R. 2772: Mrs. ADAMS.

H.R. 2853: Mr. JONES, Ms. HAHN, Mr. CONYERS, Mr. GRIJALVA, Ms. LEE of California, Ms. RICHARDSON, Mr. BOSWELL, and Mr. CARSON of Indiana.

H.R. 2898: Mr. STIVERS and Mr. ROSS of Florida.

H.R. 2955: Mr. KUCINICH and Mr. COBLE.

H.R. 2969: Mr. MORAN and Mr. RIVERA.

H.R. 3053: Mr. TOWNS, Ms. RICHARDSON, Mr. RUSH, and Mr. HONDA.

H.R. 3059: Mr. BRADY of Pennsylvania.

H.R. 3074: Mr. OWENS.

H.R. 3187: Mrs. NOEM, Mr. GRIFFIN of Arkansas, Mr. WHITFIELD, and Mrs. CAPITO.

H.R. 3200: Mr. REYES.

H.R. 3264: Mr. ROSS of Florida.

H.R. 3269: Ms. HOCHUL and Mr. FORBES.

H.R. 3286: Mr. LIPINSKI.

H.R. 3313: Mr. FARR.

H.R. 3314: Ms. SCHAKOWSKY.

H.R. 3324: Mr. DOYLE.

H.R. 3336: Mr. HOLDEN.

H.R. 3364: Ms. ZOE LOFGREN of California.

H.R. 3425: Ms. SCHAKOWSKY.

H.R. 3441: Mr. WOODALL.

H.R. 3442: Mr. GRIJALVA and Mr. PASTOR of Arizona.

H.R. 3443: Mr. GINGREY of Georgia.

H.R. 3485: Mr. ROTHMAN of New Jersey.

H.R. 3489: Mr. PLATTS.

H.R. 3497: Mr. MORAN.

H.R. 3510: Mr. COBLE.

H.R. 3511: Mr. ROE of Tennessee.

H.R. 3526: Mr. GERLACH, Mr. REYES, Ms. BROWN of Florida, Ms. SPEIER, Mr. ROSS of Arkansas, Mrs. MALONEY, Ms. NORTON, Mr. OLVER, Mr. MORAN, Mr. BOSWELL, Mr. ENGEL, Mr. CLARKE of Michigan, Ms. HAHN, Ms. WATERS, Mr. CUMMINGS, Mr. MARKEY, Mr. GONZALEZ, Ms. LINDA T. SANCHEZ of California, Mr. JACKSON of Illinois, and Ms. SLAUGHTER.

- H.R. 3528: Mr. KUCINICH.
 H.R. 3548: Mrs. MILLER of Michigan, Mr. BACHUS, Mr. MARCHANT, Mr. WILSON of South Carolina, Mr. HARPER, Mr. MACK, Mr. CASIDY, Mrs. BONO MACK, Mr. CRENSHAW, Mr. CHAFFETZ, Mr. NUNES, Mr. SIMPSON, Mr. GERLACH, Mr. SENSENBRENNER, Mr. GRAVES of Missouri, Mr. GRIFFIN of Arkansas, Mr. DENHAM, Mr. CRAWFORD, Mr. AUSTIN SCOTT of Georgia, Mr. MCCAUL, Mr. LUCAS, Mr. BROOKS, Mr. HURT, Mr. JORDAN, Mr. ROKITA, Mr. MULVANEY, Mr. GOWDY and Mr. YODER.
 H.R. 3551: Mr. GRAVES of Georgia.
 H.R. 3579: Mr. WESTMORELAND.
 H.R. 3591: Mr. WELCH and Mr. FILNER.
 H.R. 3596: Mr. FARR, Mr. LIPINSKI, and Mr. SCHIFF.
 H.R. 3601: Mr. PEARCE.
 H.R. 3606: Mr. HURT, Mr. WOMACK, and Mr. ROSS of Arkansas.
 H.R. 3612: Ms. HAHN and Mr. HINCHEY.
 H.R. 3615: Mr. FARENTHOLD.
 H.R. 3627: Mr. MCGOVERN, Ms. WASSERMAN SCHULTZ, Ms. WOOLSEY, and Mr. DESJARLAIS.
 H.R. 3637: Mr. SOUTHERLAND.
 H.R. 3643: Mr. GRIFFIN of Arkansas and Mr. SOUTHERLAND.
 H.R. 3676: Mr. TIPTON and Ms. JENKINS.
 H.R. 3701: Mr. RANGEL, Ms. NORTON, Mr. COHEN, and Mr. CONYERS.
 H.R. 3702: Ms. ESHOO.
 H.R. 3704: Mrs. MCCARTHY of New York.
 H.R. 3742: Mr. DANIEL E. LUNGREN of California.
 H.R. 3767: Mr. CARTER.
 H.R. 3803: Mr. STUTZMAN, Mr. BARTLETT, Mr. KING of Iowa, Mr. RAHALL, Mr. SCHOCK, Mr. DUNCAN of South Carolina, Mr. BENISHEK, Mr. FORBES, and Mr. ALEXANDER.
 H.R. 3811: Mr. COBLE, Mr. CALVERT, Mr. LANKFORD, and Mr. BONNER.
 H.R. 3814: Mr. FORBES.
 H.R. 3821: Mr. RANGEL.
 H.R. 3827: Mr. KISSELL.
 H.R. 3828: Mr. PEARCE and Mr. FORBES.
 H.R. 3842: Mr. COBLE and Mr. FORBES.
 H.R. 3855: Mr. HULTGREN.
 H.R. 3858: Mr. PALLONE, Mr. HOLDEN, and Mr. ISRAEL.
 H.R. 3859: Mr. ROSS of Arkansas, and Mrs. EMERSON.
 H.R. 3862: Mr. GALLEGLY.
 H.R. 3867: Mr. ROKITA.
 H.R. 3877: Mr. BURTON of Indiana and Mr. RIBBLE.
 H.R. 3884: Ms. NORTON, Mr. JACKSON of Illinois, Ms. SPEIER, Mr. HINCHEY, Mr. FILNER, Mr. SARBANES, Mr. ENGEL, Mr. SMITH of Washington, Ms. WOOLSEY, Ms. SLAUGHTER, Ms. CHU, Mr. AL GREEN of Texas, Mr. GARAMENDI, Mr. TOWNS, Ms. HAHN, Mr. CONYERS, Mr. GRIJALVA, Ms. LEE of California, Ms. RICHARDSON, Mr. BOSWELL, and Mr. CARSON of Indiana.
 H.R. 3895: Mr. BILIRAKIS.
 H.J. Res. 47: Mrs. CAPPS.
 H.J. Res. 81: Mr. LANGEVIN.
 H. Con. Res. 98: Mr. ALEXANDER.
 H. Res. 111: Mr. OLSON.
 H. Res. 494: Mr. WALSH of Illinois.
 H. Res. 503: Mr. AUSTRIA.
 H. Res. 509: Mr. POSEY.
 H. Res. 523: Ms. ROYBAL-ALLARD and Mr. PETRI.
 H. Res. 532: Mrs. HARTZLER, Mr. SCHWEIKERT, and Mrs. ELLMERS.