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No. 25

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. FOXX).

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
February 15, 2012.

I hereby appoint the Honorable VIRGINIA FOXX 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 11:50 a.m.

### ALLOW FAIRNESS AND JUSTICE TO REIGN ONCE AGAIN ON THE ISLAND OF PUERTO RICO

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIERREZ) for 5 minutes.

Mr. GUTIERREZ. Madam Speaker, this next Sunday, February 19, I will be joining thousands of Puerto Ricans in Old San Juan behind the banners of Casa Pueblo, labor unions, environmental groups, and many other leaders of Puerto Rico's civic society. The people will exercise their democratic right to demand redress from their government. In this particular instance,

they're demanding clear explanations of the many contradictions, misleading statements, and scandals associated with the natural gas project popularly known as Gasoducto and misnamed by the Puerto Rican regime as Via Verde, or the Green Way.

Now, it looks like that regime, which fired tens of thousands of public sector employees alleging that there was no money to pay their salaries, has wasted more than \$50 million on a project that was never needed, was never practical, and was never supported by the public, a project that many think may now be dead. It is also a project with a history of troubling insider deals and suspect relationships.

Madam Speaker, I will proudly march with thousands of people from across the island as we make our opposition to the Gasoducto clear. We will start at the Capitolio—the Capitol Building—in Old San Juan at 10 a.m. and march to the Fortaleza. That's the Governor's mansion.

One of our key messages is to the Federal Government and, specifically, to the U.S. Army Corps of Engineers. I wrote to the Secretary of the Army asking for an investigation of this very cozy relationship between the Jacksonville, Florida, district office of the U.S. Army Corps of Engineers and the Florida-based consulting company made up mostly of retired Corps of Engineers staffers hired by the Puerto Rican regime in order to advocate for the pipeline.

I'm still waiting for a response to my request; but in the meantime, I ask why does the Corps waste taxpayers' money continuing to evaluate a gas pipeline for which there is no gas? Why are we still considering a costly pipeline instead of a more affordable alternative? Why are we still considering a project that has raised serious objections from the U.S. EPA and the Fish and Wildlife Service and environmental groups across the country? Why are we

still considering a project opposed by no less than 70 percent of the people on the island of Puerto Rico?

The public has turned against the project, its price tag, its danger, and its complete lack of justification. Key decision-makers in the private sector and in the Federal Government and in the Puerto Rican Government, even up to and including the Governor himself, are slowly backpedaling from what has been a headlong rush to build a 92-mile gas pipeline.

Even still, the U.S. Army Corps of Engineers continues to consider a permit for reasons that are simply unclear to me and anyone else, except they may wish to continue to do their friends' bidding—yes, their friends that they left behind at the office who soon will leave that Federal Government office to join them in the private sector. Oh, the ways of Washington, D.C.

But the people of Puerto Rico have already declared: permit denied. This coming Sunday in Old San Juan we will stand together, environmental leaders, labor leaders; and we will speak out loud and clear.

Permit to destroy the environment: denied.

Permit to put lives at risk: denied.

Permit to disregard the views and the voices of the people: denied.

Permit to waste money to lavish the friends of the regime with no-bid contracts: denied.

Yes, Madam Speaker, most people in Puerto Rico are convinced that the Gasoducto is dead, but I will be proud to join the voice of the Puerto Rican people next Sunday as we remain vigilant and firm in our opposition to this wasteful, dangerous, and abusive project. Together, we will continue to work to allow fairness and justice to reign once again on the island of Puerto Rico.

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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H729

## MERCK FOR MOTHERS PROGRAM

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. LANCE) for 5 minutes.

Mr. LANCE. Madam Speaker, I rise to call attention to one of the world's oldest and most preventable health tragedies and to recognize efforts under way to address it. I am speaking of the needless and preventable death of women in pregnancy and childbirth.

Motherhood is, of course, at the heart of much of what we value and cherish in our civilization. Yet even today, in this age of scientific achievement, becoming a mother still carries great risk. During the next 10 years, an estimated 3 million women may die attempting to bring new life into the world. This is approximately 1,000 mothers per day. Yet when a mother dies, we lose so much. Her baby is at greater risk and so are her other children. Families are torn apart, and some are thrust into poverty, or deeper into poverty.

Maternal mortality is a problem in the developing world. It is also a problem, Madam Speaker, in the United States of America. As I understand the figures, mothers dying around the time of childbirth doubled here in this country between 1990 and 2008. Unfortunately, women in the United States have a higher risk of dying from pregnancy-related complications than women in 38 other countries.

Yet in acknowledging this tragedy, I rise to recognize and applaud efforts that bring real hope. In my district in Whitehouse Station, New Jersey, the health care company Merck has just announced a new program: Merck for Mothers. Merck has pledged a half billion dollars over the next decade to help alleviate this situation, complications of pregnancy and childbirth. The people of Merck will dedicate their expertise to help make proven solutions more widely available, to develop new technologies, and to improve public awareness to save lives.

Making progress against this complex challenge will not be easy. It is not purely a medical problem, and there are no magic bullets.

I applaud Merck and other organizations and individuals who are dedicating their time, their resources, and their expertise to creating an environment where no woman has to die in order to bring a child into the world.

#### A BRAVE AFGHANISTAN TRUTH-TELLER COMES FORWARD

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

Ms. WOOLSEY. Madam Speaker, it was an ancient Greek playwright who originally said: "Trust is the first casualty of war." More than 2,500 years later, those words still hold painfully and tragically true.

Tomorrow afternoon, I will join several of my colleagues in meeting with

Lieutenant Colonel Daniel Davis who has embarked on a brave truth-telling campaign about the war in Afghanistan.

□ 1010

After two combat deployments to Afghanistan, Lieutenant Colonel Davis has written two reports—one classified, one unclassified—in which he tells what he has seen. As part of his assignment with the Rapid Equipping Force, he traveled across Afghanistan several times, spanning some 9,000 miles, and visited with hundreds of troops as well as with Afghan civilians and Afghan security forces.

What he saw were Afghan police who stay in the safe harbor of their checkpoints while allowing the Taliban to roam free. What he saw were Afghan local governments completely unprepared to protect and provide for their people. What he heard were stories of, in his words, "how insurgents controlled virtually every piece of land beyond eyeshot of a U.S. or International Security Assistance Force base."

Madam Speaker, this is not exactly the story we've been getting from top military brass when they report on the status of the Afghanistan war. Lieutenant Colonel Davis' experience is yet one more example of how we're not getting the entire story.

As he puts it:

Senior ranking U.S. military leaders have so distorted the truth when communicating with the U.S. Congress and American people in regards to conditions on the ground in Afghanistan that the truth has become unrecognizable.

He continues:

This deception has damaged America's credibility among both our allies and enemies, severely limiting our ability to reach a political solution to the war in Afghanistan.

Madam Speaker, after everything Americans have sacrificed—the lives, limbs, the mental capacities of thousands of our people, the billions of dollars every month, our global reputation, and credibility—the least we are owed is the unvarnished truth. For the price the Nation has paid, we deserve transparency and not the propaganda we're receiving. A good start would be to declassify the National Intelligence Estimate on Afghanistan as well as to publicly release the classified version of Lieutenant Colonel Davis' story.

Some have suggested that Lieutenant Colonel Davis is a publicity seeker. My only response to that is, I certainly hope so. I want the message out. Goodness knows, the other side of the story, the official party line that the Afghanistan war is a strategic success, has gotten plenty of publicity over the last decade. It's about time that a different version of events got close to equal time.

I hope my colleagues, in particular those who have supported the Afghanistan war year in and year out, will read what Lieutenant Colonel Davis has written, and I hope they will consider

the significant risk he has taken and the patriotism he has shown. I look forward to meeting Lieutenant Colonel Davis today, and I look forward to the Nation finally heeding his words, honoring his courage and vindicating his story by bringing our troops home.

#### COLONEL SAM JOHNSON, A TRUE HERO AMONG US

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Madam Speaker, the date was April 16, 1966. The pilot was SAM JOHNSON, United States Air Force. He was a colonel, and he was doing his second tour of duty in Vietnam. He was flying with the fighter squadron called Satan's Angels. He was a career pilot who had already flown 62 combat missions during the Korean war, flying an F-86 Sabre jet. Colonel JOHNSON also flew with the famed Air Force Thunderbirds.

But on that day, April 16, 1966, Colonel JOHNSON in his F-4 was shot down by ground fire by the North Vietnamese. He was captured, and he was put in a prisoner of war camp. Madam Speaker, he was in that POW camp for 7 years.

Because of the way that he would not give in to the torture and to the interrogation, the enemy moved him to the famous Hanoi Hilton, a place they called "Alcatraz." It was as bad a POW camp that ever existed in history. Alcatraz was where 11 POWs were put because they were the most obstinate men, and they were leaders of other POWs. They were hard-nosed, and they had to be segregated. They called themselves the "Alcatraz gang." They were defiant, and the North Vietnamese called this man right here, Colonel SAM JOHNSON, "Die Hard."

They tortured him, but they got no information from him. During that time, that 7 years he was beaten and tortured, SAM JOHNSON never broke down. He was so obstinate that they finally decided to put him in solitary confinement where he remained for 4 years in a cell that was 3-feet-wide by 9-feet. During that 4 years, all that was in that cell was a light bulb above his head that the enemy kept on for 24 hours a day. During the nighttime, they put SAM JOHNSON in leg irons, and during that 4 years, he never saw or talked to another American.

While in the POW camp, he and other POWs communicated with each other with a code by tapping on the wall, and during that time, he memorized the names of the other 374 POWs in captivity. He kept that memory going so that, when he got away or was released or escaped, he would be able to tell their loved ones who they were and where they were. It was brutal, it was harsh, it was cruel, it was mean.

The enemy laughed and made fun of Colonel SAM, and all he ever said was, Is that the best you can do? For food, he ate weeds and pig fat and rice, and

he went from 200 pounds to 120 pounds. After 7 years of confinement, on February 12, 1973, 39 years ago this week, Colonel SAM JOHNSON was finally released.

After his release, Colonel JOHNSON continued to serve in the United States Air Force for a total of 29 years. While he was in that POW camp, back home in Texas, his wife, Shirley, knew he'd been shot down, but she didn't know what had happened to him for 2 years—whether he was alive, dead, or missing in action.

After he left the United States Air Force, he served in the State house in Texas. He had his own business, and then in 1991, he came to the House of Representatives, where he continues to serve with distinction and to represent the folks from Texas.

SAM JOHNSON returned to America with honor. He is a special breed. He is the American breed. He is that special warrior, even during the time he was a captive warrior, who never forsook his duty and never forsook his honor.

Colonel SAM and other Vietnam veterans were not only treated badly in Vietnam, but many who returned were treated poorly by America. These vets had no welcome home parades. They were cursed and they were spit upon. America did not really appreciate those old warhorses from Vietnam.

So, to Colonel SAM and all who served in Vietnam, welcome home, welcome home, welcome home.

Some served and returned. Some served and did not return. Some served with the wounds of war.

So, to Colonel SAM JOHNSON, we appreciate your service because the worst casualty of war is to be forgotten.

And that's just the way it is.

#### SAFE ROUTES TO SCHOOL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. The fancy new software at use in our congressional offices gives us the ability to see all of the constituent contacts, all of their questions, complaints, and concerns by category.

I wonder if anyone in Congress has received any complaints about the Safe Routes to School program. I'll bet not. So why is the Republican transportation bill eliminating Safe Routes to School, creating an "unsafe route to school"?

This is a wildly popular program, costing a fraction of a percent of the transportation budget, and it has had a huge impact nationally on our children because it deals with real consequences for them.

□ 1020

A generation ago, 40 or 50 percent of children were able to get to school on their own. Now only 13 percent can. It's no wonder that childhood obesity has exploded over the same period of time,

with one in three of our children now overweight or obese or seriously at risk. Asthma has gone up for children 74 percent over the last 5 years. There are real consequences for accidents. There were 23,000 5- to 15-year-olds injured, and more than 250 kids killed walking or biking in 2009.

Getting our children to school in the morning represents 10 to 14 percent of the entire American morning commute, 6.5 billion trips stretching 30 billion miles. Doesn't it make sense to do something about the congestion, the injuries, deaths, and the obesity? Absolutely.

Twenty years ago, as Portland's commissioner of public works, I started a program in my city to help teach kids how to get to school safely and to improve road and sidewalk conditions. Ten years ago, we started a national program, Safe Routes to School. Schools with these programs show a 20 percent to 200 percent increase in the number of kids walking or biking. According to a recent California study, these students are healthier, they do better in school, and there is a 49 percent decrease in accident rates.

So why are my Republican friends advancing a transportation bill attacking Safe Routes to School, stripping it out, making it an unsafe route to school? Well, it's a fitting metaphor for perhaps the worst transportation bill in history. I think that may be one of the reasons they were afraid to even have a single hearing on the package that's coming to the floor this week.

They attacked the foundation of 20 years of balanced transportation reform. It shatters the 30-year partnership between transit and road interests that gave 80 percent to roads and 20 percent to a transit account, brokered by Ronald Reagan's administration. It undercuts the role of local governments and metropolitan areas to shape and control their own destiny, leaving them to the tender mercy of bureaucrats in their State capitals.

But it's not just Safe Routes to School. They attack high-speed rail, bicycles, Amtrak. They attack the basic environmental and public participation protections that have been gutted that actually have been very important to make sure that we have good projects that aren't held up politically or in court.

Sadly, I am very disappointed. I have worked for years on a coalition of broad interests across the spectrum of highway, professional, environmental, labor, business groups toward a good transportation bill and a coalition that can work together for the badly needed transportation resources. This Republican bill splits away valuable allies and will make it almost impossible to get the resources we need in the future. And, of course, their bill is \$5 billion short for highways after taking all of these resources and stuffing them into the Highway Account.

This is, simply, the worst highway bill ever. It is the first we've seen that

has not been at least a semblance of bipartisanship and is something that's never been considered in committee. Too timid to do the job, it recklessly abandons the trust fund principle, raising the ire of budget hawks for abandoning "user pay". It guts the most popular programs that help stretch dollars and improve communities. And, as I say, it shatters the coalition that we need to deal with the future resources.

Mercifully, this theological statement, sloppy, incomplete, and ill-considered has no chance of ever being enacted into law; but it's important that the House reject it. There is no more powerful symbol of how bankrupt this proposal is than eliminating the wildly popular and effective Safe Routes to School. If for no other reason, reject this bill for our children.

#### IMPROVING THE TRANSPORTATION BILL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DOLD) for 5 minutes.

Mr. DOLD. Madam Speaker, one of the core functions of the government is to invest in infrastructure and transportation. This is not a Republican idea or a Democrat idea. It's an American one. At a time when people are so desperately looking for Washington to come together, this is an issue that we should and can work together on.

This week we're debating the transportation bill. While there are many great qualities about this bill, there is still a need—and I would argue a great need—to improve it. That's why I am pleased that there are literally hundreds of amendments to try to strengthen this bill.

I hail from the State of Illinois. Illinois is a donor State, which means that we are putting in more transportation funds than we are receiving back from the Federal Government. That is why I am concerned by the cuts facing our State. We stand to lose almost \$650 million. As one of the largest manufacturing hubs of the country, our region cannot afford to lose this critical funding. Our transportation funds help strengthen our local economy and keep jobs at home.

Let me be clear. There are some very good steps in this bill that I believe we all should be able to embrace. The bill provides long-term certainty to States when they're planning their transportation projects. We haven't had a transportation bill in a number of years, since 2005; and this would provide 5 years of stability. It includes numerous reforms that enable States to cut through red tape and speed up the completion of projects, many taking about 15 years today, which would be going down to 7 or 8 years in the future.

I'm pleased that the bill strengthens the Harbor Maintenance Trust Fund, which impacts places like Waukegan Harbor. Waukegan Harbor is a critical part of the Great Lakes harbor system

and helps bring jobs home to the 10th District, which so desperately needs them.

That being said, there are several aspects about this bill that need to be resolved. One of my major areas of concern is that of the environment. Madam Speaker, the bill would open a portion of the Arctic National Wildlife Refuge, also referred to as ANWR, to oil and gas drilling. For over 50 years, the development of ANWR has been debated greatly. We have an obligation to be good stewards of our national treasures and fiscally responsible in funding our Nation's infrastructure. However, including the Arctic refuge drilling provision will greatly complicate the transportation bill moving forward and make agreement with the Senate far more difficult. ANWR should be the last resort, not the first one.

I'm also concerned with the future sustainability of transit funding. In the Chicagoland region, we depend on mass transit to lessen the congestion on our roads and to get people to and from work. We do this far more efficiently with mass transit. Fifty percent more people would be on area highways and interstates if it were not for mass transit.

So think about that. For the people back there that have driven through Chicago, if we were to add an additional 50 percent on the already congested roads, it would make life far more difficult for moving goods and services around and for getting people to and from work. This is not what we need. Mass transit is a vital program and one that we need to preserve. We need to have the certainty out there for funding. In Illinois, our State will face a \$137 million shortfall each and every year if this bill is enacted as it stands right now. This is unacceptable.

With all this being said, I believe that we have much to do, and we can work together to build a transportation bill that gives States the ability to plan for the long term and complete projects faster. But we do not need to do so at the detriment of mass transit or the environment. So let's work together and make this a better bill that we can all be proud of and move our country forward.

□ 1030

#### CRISIS OF POVERTY IN AMERICA

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

Ms. LEE of California. Madam Speaker, as a founder and cochair of the Congressional Out of Poverty Caucus, I rise again to sound the alarm about the crisis of poverty in America.

While many of us are encouraged by the recent improvements in the unemployment rate, which fell to 8.3 percent, the rate of unemployment continues to be unacceptably high, especially for communities of color. For African Americans, the unemployment

rate is 13.6 percent, and it's 10.5 percent for Latinos. The rate of unemployment for our youth is even more alarming, with over 23 percent of 16-19 year olds looking for a job. Without a job, Madam Speaker, how can we expect our youth, the future of this country, to develop the skills and experience they need to succeed and live out their American Dream.

Encouragingly, President Obama understands that we cannot speed up economic recovery without investments that create jobs. I was pleased to see in his 2013 budget proposal investments to create good jobs and job training programs for communities hardest hit by our struggling economy. By targeting economic assistance where it's most needed, the President's proposed budget goes a long way to level the playing field to give every American the opportunity to succeed.

There's a lot that my Republican colleagues can learn from the President's budget, especially this: that fighting poverty and reducing the deficit can be achieved together. But let me be clear. This budget is not perfect. There are cuts in this budget that would undermine some of the progress our economy is making. Cuts to safety net programs like the Community Services Block Grant, Low Income Heating Assistance, and affordable housing programs will hit already struggling families especially hard.

During these difficult times, we really do need to protect programs that are a lifeline for the most vulnerable. We need to increase funding for programs like SNAP and WIC which keep millions of American families out of poverty. But keeping people from suffering the worst effects of poverty is not enough to restore our economy. Even with the recent increases we have seen in job creation, long-term unemployment remains at record levels, with 5.5 million workers who have been out of work for 27 weeks or more. Until Republican leaders in the House can pass President Obama's American Jobs Act or put forth any kind of reasonable plan for job creation, we must ensure that the safety net is strong.

So, Madam Speaker, again I call for an immediate up-or-down vote on Congressman BOBBY SCOTT's and my bill, H.R. 589, which will give the millions of job seekers who continue to struggle to find a job just 14 more weeks of vital unemployment benefits. This would allow them to have just a little more time to find a good job and to support their family while our fragile economy continues to recover.

Also, Madam Speaker, this Congress has a lot of work to do. We are just a few days away from when unemployment benefits are set to expire for millions of Americans across the country. Low-income families were hardest hit during the recession, and they cannot afford another year of a Republican Congress that fails to focus on jobs, refuses to strengthen our middle class, and tries to end the Medicare guar-

antee for all of our seniors. It is incumbent upon this conference committee to ensure that the bridge is strong enough to deliver us all, even our most vulnerable, over these troubled waters.

Madam Speaker, let's put our Nation before our party. Americans really cannot wait, and neither should this Congress.

#### TRANSPORTATION EMPOWERMENT ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. GRAVES) for 5 minutes.

Mr. GRAVES of Georgia. Madam Speaker, we're hearing a lot about transportation this week in the form of the transportation reauthorization bill. That causes us to maybe reflect back. Why are we reauthorizing something, and where did it originate, and what is our plan forward?

In fact, this comes from decades and decades and decades ago, and it's a chance when we can say to ourselves: Are we on the right path? Is this the right path for this Congress and the future of our Nation?

I think back to the last election cycle when the American people said we want to see things done just a little bit different, and I want to talk about that just a little bit this morning because today, when it comes to transportation, all States pay 18.4 cents per gallon for every gallon of gas they purchase. They send that to the Federal Government, and the Federal Government is distributing that out across the country.

Now, a lot of people would say that comes back to our States, doesn't it? Well, in fact, it does not. There are 28 States in this Nation that send money to the Federal Government and don't get it all back, Georgia being one of them, along with many others throughout the country. We're referred to as the donor States.

So, in addition to these 28 States not getting back all of their money, there are all of these mandates that occur to each and every one of these States. So as we can imagine, these 28 States, they want to get back all of their money. In fact, Georgia sent a resolution to Congress, and I want to read a section of it here and then submit it for the RECORD, because the Georgia General Assembly said that this body, meaning the Georgia General Assembly, urges the Federal Government to cease the collection of motor fuel taxes in Georgia so that the State can collect and distribute the taxes without the delay caused by the Federal collection and disbursement.

So Georgia and many other States are asking for changes. They're asking for the Federal Government to do something just a little different, but yet we're entering into this debate about reauthorization when maybe we just need to rethink the program altogether.

In Georgia, \$800 million was not received by the State of Georgia. It was

submitted by the taxpayers of Georgia, the hardworking Georgians sending money to the Federal Government, and \$800 million of it was sent somewhere else across the country in the last reauthorization. \$15 billion from other States was sent to States outside of their boundaries to be spent on other projects.

Now this program started in 1956. In 1956, when Congress was debating the interstate system, it was a great debate. As they debated it, they said, This will be a short-term tax that we're going to implement. It will be a tax that will be starting at 3 percent, will last for 15 years, build an interstate system, and had a great plan to do it. There was a debate about it. Well, what happens when we come to the end of that 15-year period? Well, here is part of an exchange that occurred in the Ways and Means Committee when they were debating this tax. It was in 1956, when Congressman Boggs of Louisiana and Congressman Fallon of Maryland, they were discussing what would happen during this expiration period. In that exchange, both Congressmen agreed that at the end of the 15-year authorization period, "The interstate system is built and paid for, and there is no obligation beyond the period of construction."

Yet here we are, 2012, so far removed from that debate, and not only are we at 3 cents per gallon, we are at 18.4 cents per gallon. At the end of that 15 years, it was actually supposed to go to 1.5 cents, but ever since it has always gone up. Yet here we debate about spending more and more and more money, and we've just learned from previous speakers that this isn't even going all to roads and bridges and highways; in fact, it's going to bike paths, planting flowers and bushes, walking trails, and other things. Shouldn't it be about moving people and freight? That's what it was always about.

So, as we consider the reauthorization, I hope we'll consider maybe a reflection of a new program, a new path forward. So I'm offering an amendment that changes all this, that says, You know what? It's complete. The interstate system has reached that point of completion, maybe let's devolve this back to the States. Let's empower the States to collect their taxes, as Georgia is asking to do, spend it on their priorities, not deal with the red tape of Washington or the exchange fee that's occurring, but in fact empower the States to collect their taxes at the rates that they choose and spend it on the priorities that are most important to them. Keep it back in the home States where they know where the needs are.

Instead, we're up here debating how they should spend their money and mandating all these hundreds of various program lines that they've got to spend it on.

So we'll be offering an amendment that just changes the debate a little bit and causes us to reflect and refocus on

where transportation should be as we are in the 21st century.

So, Madam Speaker, as I close and as we move into this debate on reauthorization, I hope there'll be a time when this Congress remembers what the American people said in 2010: Let's eliminate some of this government and devolve it back to the States.

#### SENATE RESOLUTION 750

By: Senators Pearson of the 51st, Mullis of the 53rd, Rogers of the 21st, Hill of the 32nd, Seay of the 34th and others

As passed:

#### A RESOLUTION

Urging the United States Department of Transportation to reconsider its mission and purpose; and for other purposes.

Whereas, the United States Department of Transportation was established by an act of Congress on October 15, 1966, and the department's first official day of operation was April 1, 1967; and

Whereas, the mission of the department is to "Serve the United States by ensuring a fast, safe, efficient, accessible and convenient transportation system that meets our vital national interests and enhances the quality of life of the American people, today and into the future."; and

Whereas, the main mission of the department has largely been fulfilled by the completion of the federal interstate highway system; and

Whereas, state and local governments are faced with difficult decisions regarding local transportation needs on a continuing and ever-increasing basis; and

Whereas, the federal motor fuel taxes charged to the citizens of Georgia are needlessly sent to the federal government before being returned to the state government; and

Whereas, Georgia is a donor state and does not receive back as much motor fuel tax as it collects and sends to the federal government. Now, therefore, be it

*Resolved by the General Assembly of Georgia,* That this body urges making the funds collected under the federal gas tax immediately available to individual states to fund their transportation needs; be it further

*Resolved,* That this body urges the federal government to cease the collection of motor fuel taxes in Georgia so that the state can collect and distribute the taxes without the delay caused by federal collection and disbursement; and be it further

*Resolved,* That a copy of this resolution be delivered to the Commissioner of the United States Department of Transportation and to the congressional delegation of the State of Georgia.

#### COMMUNITY COLLEGE TO CAREER FUND

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Ms. SEWELL) for 5 minutes.

Ms. SEWELL. Madam Speaker, today I rise to recognize the critical role of community colleges and the role that they play in economic recovery and the continued growth of our communities across the Seventh Congressional District of Alabama and this entire Nation.

In the Seventh Congressional District, the State of Alabama, and this country, the most important issue is job creation. In parts of the Seventh Congressional District that I am so privileged to represent, unemployment rates are as high as 16 percent.

This persistent, high unemployment number demonstrates the importance of career training and development. It also points to the critical role that our community colleges play in our Nation's growth. The junior colleges, our community college system, play a vital role in developing our Nation's greatest resource—our people.

A lasting partnership between the private sector and community colleges is key to creating an economy built to last. These partnerships ensure that future workers are being prepared to take advantage of every opportunity in the employment sector as we recover in this economy. In order to win the future, we must continue to out-innovate, out-educate, and out-compete our global competitors.

I want to commend the President on his recent release of a blueprint to train 2 million workers for high-demanding industries through our Community College to Career Fund.

□ 1040

The new \$8 billion Community College to Career Fund would promote the development of community college partnerships that would train skilled workers for unfilled jobs. What a great way to not only promote our community colleges but also help to train future workers.

As America regains its position as the world's preeminent innovator and developer, the need for a trained, skilled workforce becomes even greater. This proposed fund would support the training of workforce development all throughout our Nation. The Community College to Career Fund will also institute a "pay for performance" in job training. This new initiative will serve as an incentive to businesses that will provide and help them provide workforce training.

It will also help individuals find employment while encouraging businesses to assist workers in this endeavor. This is critically important, and it is not only enough to train our workers, but we must also ensure that they can find jobs right here in America.

In addition, through this job-training fund, State and local governments will be allowed to apply for grants that will help them recruit businesses to their States. This incentive to locate businesses right here in America will help create jobs, discourage outsourcing, and encourage insourcing. We have to start making things right here in America and promote that endeavor. We must create an environment that gives more Americans a fair shot at achieving the American Dream, a dream that the unemployed in my district and across this Nation are waiting to grasp. They just need opportunities and resources.

The Community College to Career Fund will inspire and train the next generation of entrepreneurs. These workers could be responsible for the next Google, the next Apple, Microsoft or other cutting-edge technology. It

will promote American exceptionalism and will propel this Nation back to the forefront of workforce development.

The President's blueprint to build a highly skilled workforce through our community college system is the right thing to do. It will allow community colleges in my district, for example, Shelton State and Wallace State Community Colleges, greater access to resources to educate those ready and willing to take jobs—highly skilled jobs in our workforce.

At this time, these initiatives are critically important because we in America can ill afford to be left behind when it comes to innovation. I believe that the President's blueprint should be applauded and supported. I know that in my own district, Mercedes Benz, a very important employer in my district, has taken such initiatives to another level. They've encouraged high school students, giving them a chance to learn how to use their machines and participate in a program; and they've also said that upon completion, 75 percent of those students will actually have a job in the Mercedes Benz plant in Vance, Alabama.

I think initiatives such as this should be encouraged. It's critically important that we not only support the private sector in their endeavors to create public partnerships with our community colleges, but also to grow our economy and help this recovery effort actually exist.

So I support these endeavors, and I support the President in this initiative. I look forward to working with the President on this initiative and supporting this initiative in this House, and I ask and urge all of my colleagues on both sides of the aisle to support such an initiative.

#### GENERAL AVIATION INDUSTRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kansas (Mr. POMPEO) for 5 minutes.

Mr. POMPEO. Madam Speaker, on Monday of this week, 2 days ago, the President released his budget plan. It will take America's deficits, or total debt, to over \$27 trillion. That's a big number. It's hard to get our heads around numbers like that. So I want to talk about how it impacts a particular industry and a particular group of people, how his budget and plan will put under attack 1.2 million Americans and an industry known as general aviation that generates over \$150 billion for our U.S. economy.

Now, the general aviation industry is an industry that this President has been assaulting ever since he took office. It is one of America's last great manufacturing sectors, indeed, a manufacturing jewel still here in America; and yet it has become a bit of a political punching bag for our President who constantly refers to the entire industry as made up of nothing but "corporate fat-cat jet owners."

But I want to talk about the job creation aspect. I want to talk about how

the general aviation industry impacts real people. I want to tell some real stories about how lives are impacted when a President speaks about an industry this way and then presents a budget that has such an enormous impact. There are real consequences.

I can tell you that each time the President attacks the general aviation industry, a machine shop in Wichita, Kansas, is impacted; a West Virginia company loses a sale; or a private company putting jet fuel on airplanes in California feels the squeeze.

I want to recall some of the attacks, but I also want to talk about these people. The general aviation industry produces aircraft that are a tool—a tool—that increases productivity and ultimately contributes to the success of businesses all across our country. It's about helping a parts supplier, a fellow named Jim who wrote a story to me from Plainwell, Michigan. It helps him deliver parts all across the country so not only can his company succeed and grow jobs, but all of the folks that Jim's company serves.

It's about getting a daughter to a hospital who is very ill on an Angel Flight—a wonderful nonprofit organization that uses excess capacity on small planes all around the country to meet the medical needs of people all across our Nation.

It's about the town of Fort Morgan, Colorado, whose local industries rely heavily on general aviation and which is an absolute lifeline for this small town's continuing success.

It's about a fellow named William in Mobile, Alabama, who wrote me and said:

I work for a manufacturer. We build jet engines for the general aviation industry. We've seen firsthand how President Obama's rhetoric hurts our industry. We lose sales. Why would a President attack an industry that provides hundreds of thousands of good, union jobs when he says that his entire focus is those jobs? I wish the President would encourage general aviation, and not attack it.

I think William has it exactly right. Many in my hometown of Wichita, Kansas, which is the headquarters for Beechcraft, Learjet and Cessna, know these stories all too well, also.

For the third time now in the President's budget, he's called for user fees on every flight of every general aviation aircraft and has set up a system whereby it will become more expensive through the Tax Code to purchase these aircraft—these American-built aircraft. But it impacts lots of folks in different places, not just the manufacturers.

Chris from Los Angeles wrote me and said:

My little flight school employs five full-time workers and three part-time employees. Up through now, I've been able to weather the economic storms. Unfortunately, despite the claims that piston aircraft will be exempt, these user fees will hurt us, Mr. President. I'll be forced to shut my doors, thereby laying off my employees.

Madam Speaker, this is not about fat-cat corporate jet owners in the cor-

ner office. This is about the livelihood of those eight people in California who depend on this industry to put food on the table for their families.

Carl from Plano, Texas, wrote me and said:

Like others have said, a large percentage of people who use business aircraft do it as a productivity tool. I wish Washington would recognize that an airplane is a tool just like production machinery and a delivery truck.

The whole time the President is criticizing the aircraft flying industry, he flies around in one of the great jets built in Kansas—Air Force One. His Cabinet members and senior staff fly on airplanes all across the world, and I'm proud of that. But, unfortunately, the President doesn't see the value in general aviation except for when it's his own. I've invited the President multiple times to come to Wichita, Kansas, to see the workers who build these great planes. And yet it continues: the President tries to destroy an industry that employs over 1 million people.

This is not leadership. This is division and envy, and I wish the President would cease to do so. It's a travesty, it's not good for jobs in America, and it's not good for our general aviation industry.

#### NATIONAL ENGINEERS WEEK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. LIPINSKI) for 5 minutes.

Mr. LIPINSKI. Madam Speaker, as one of only a handful of engineers in Congress, I'm proud to once again sponsor a resolution honoring our Nation's engineers during National Engineers Week. Next week will mark the 61st annual Engineers Week and the 8th year I have introduced this resolution. I would like to thank the gentleman from Illinois (Mr. MANZULLO) for joining me in leading this bipartisan effort for the second consecutive year.

The central goal of Engineers Week— attracting new students to engineering careers—has never been more important.

□ 1050

As a 2010 National Academies report explained:

While only 4 percent of the Nation's workforce is composed of scientists and engineers, this group disproportionately creates jobs for the other 96 percent.

Engineers drive our economy by designing and building everyday products, including bridges, airplanes, roads, computers, medical devices, cars, power plants—just to name a few. America's 2.5 million engineers have helped make our country great by solving problems and turning dreams into reality, and America's future depends on them.

In these uncertain times, as we look for ways to promote job creation, educating America's youth about engineering and science needs to be a national priority. Each year, National Engineers Week seeks to do just this through events aimed at inspiring students and fostering public awareness of vital contributions made by engineers.

These events, including the Future City Competition, Introduce a Girl to Engineering Day, and Discover Engineering Family Day, all impart an appreciation of the wonders of engineering to children of all backgrounds. The importance of these events is underscored by a 2012 survey by the Intel Corporation that found American teenagers are more likely to consider a degree in engineering after learning about what engineers do.

This year's theme is "7 Billion People; 7 Billion Dreams; 7 Billion Chances for Engineers to Turn Dreams Into Reality." This theme emphasizes the potential for growth among the community of engineers worldwide. It also highlights a challenge to our position as a global leader in engineering.

Last month, the latest Science and Engineering Indicators released by the National Science Board showed that the number of students obtaining engineering degrees in the United States continues to rise, but our production of new engineering degrees has been dramatically eclipsed by China, where 30 percent of all undergraduate degrees are in engineering, as compared to 4 percent in the United States. Inspiring bright young minds to consider careers in engineering is more important than ever for our economic competitiveness.

Growing up in Chicago, I was fascinated with figuring out how mechanical devices worked. I remember how my high school calculus and physics teachers at St. Ignatius helped mold this fascination into an interest in engineering. These teachers, together with informal experiences at places like the Museum of Science and Industry and the Brookfield Zoo, helped motivate me to pursue an undergraduate degree in mechanical engineering at Northwestern University and then a master's degree in engineering-economic systems from Stanford University. One of the central goals of National Engineers Week is to provide this kind of inspiration for the next generation.

During Engineers Week, I will be attending the Chicago Engineering Awards Benefit, where the Washington Award will be presented to a Chicago native and pioneer of the cell phone, Martin Cooper, and also where students will be honored for their participation in numerous competitions, including the Future City Competition. I am always greatly inspired when I go to this banquet to see one of the great pioneers of engineering talk about the work they've done, and to see the students and the work that they're doing today, and know the future of our country will be great with their help.

Madam Speaker, I'd like to encourage all of my colleagues to cosponsor

this resolution, but more importantly, to go home and participate in Engineers Week celebrations in your districts. This is a great opportunity for us to thank the engineers who contribute so much to our country and inspire the next generation of engineers that our country needs to stay competitive.

#### SECURITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of Tennessee. Madam Speaker, I rise to talk for a few minutes about security. I know that almost no Member is willing to vote against something that has the word "security" attached to it, but I wish that most Members would consider these words from Ian Lustick. Professor Lustick is a professor at the University of Pennsylvania, and he wrote several years after 9/11 about the war on terror money feeding frenzy. He wrote this:

After September 11, 2001, what accounts for the vast discrepancy between the terrorist threat facing America and the scale of our response? Why, absent any evidence of a serious domestic terror threat, is the war on terror so enormous, so all encompassing, and still expanding? The fundamental answer is that al Qaeda's most important accomplishment was not to hijack our planes, but to hijack our political system. For a multitude of politicians, interest groups, professional associations, corporations, media organizations, universities, local and State governments, and Federal agency officials, the war on terror is now a major profit center, a funding bonanza, and a set of slogans and sound bites to be inserted into budget, project, grant, and contract proposals. For the country as a whole, however, it has been a maelstrom of waste.

He pointed out an example that even Dunkin' Donuts franchises had received \$22 million in Federal counterterrorism loans.

Madam Speaker, in addition to that, shortly after 9/11, when every government, department, and agency was requesting more money for security, The Wall Street Journal carried an editorial that said:

Any bill with the word "security" in it should get double the public scrutiny and maybe four times the normal wait, lest all kinds of bad legislation become law under the phony guise of fighting terrorism.

Unfortunately, we haven't followed the guidance of Professor Lustick or The Wall Street Journal. I thought of these writings by Mr. Lustick and The Wall Street Journal when I read two recent articles. On December 20, 2 months ago, Vanity Fair magazine carried an article on its Web site which said:

As you stand in endless lines this holiday season, here's a comforting thought: all those security measures accomplish nothing at enormous costs.

The magazine said since 9/11, the government has spent more than \$1.1 trillion on homeland security. Then the article added this:

To a large number of security analysts, this expenditure makes no sense. The vast

cost is not worth the infinitesimal benefit. Not only has the actual threat been exaggerated, they say, but the great bulk of the post-9/11 measures to contain it are little more than security theater; actions that accomplish nothing but are designed to make the government look like it is on the job. In fact, the continuing expenditure on security may actually have made the United States less safe.

And then a second article by ABC News. Probably, Madam Speaker, the most needless, useless agency in the entire Federal Government is the Air Marshal Service. USA Today once reported that more air marshals had been arrested than were arrests by air marshals. Talk about a soft, easy job. All these people do is ride back and forth on airplanes, back and forth, back and forth, mostly in first class.

A few days ago, ABC News reported that air marshals took taxpayer-paid trips to visit families and to go to vacation spots. One supervisor was even photographed asleep on a flight while carrying a loaded pistol. ABC reported that managers at the Air Marshal Service acted like "a bunch of school yard punks," and that they "repeatedly made fun of blacks, Latinos, and gays," according to agency insiders. I guess they had too much time on their hands and too little to do.

I know, as I said earlier, that it's almost impossible to get Congress to vote against anything that claimed to be for security. But this almost \$1 billion that we give to air marshals each year is a total complete waste. When we go ridiculously overboard, Madam Speaker, on security, we are taking money away from individuals and families who really need it, and taking money away from other good things on which this money could be spent.

#### STOP MILITARY RAPE

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

Ms. SPEIER. Madam Speaker, I rise again today to highlight the epidemic of rape and sexual assault in the military.

This issue was recently brought up on Fox News by a commentator who ignorantly declared that women who join the military should expect to be raped. Yes, believe it or not, this was what the commentator said. I don't think our women choose to enlist in the military with the expectation that they might get raped.

This morning I'm going to tell you the story of U.S. marine Stephanie Schroeder, who was raped in a public restroom by a fellow marine. He shoved her down, beat her, and forced her on her back. He ripped down her pants and raped her. Then he ejaculated on her inner thigh and spit on her.

Private Schroeder reported the rape to command. Her commander laughed at her and said don't come "blankin" to me because you had sex and changed your mind.

□ 1100

Don't come "blankin" to me? That's the response that was given to Private

Schroeder. That was her leader. That was her commander saying that to her. Instead of helping her, her commander called her a liar and restricted her from seeking medical help or any type of counseling.

And what's worse is that her commander did nothing illegal. The military judicial system allows commanders complete discretion for handling cases of rape and sexual assault. To the current standard of justice, the commander did absolutely nothing wrong.

This story is one of thousands that happens in the military every year. By the Department of Defense's own statistics, 19,000 men and women are sexually assaulted or raped in the military every year. This is not a secret. Congress and the DOD have worked on this issue for a quarter of a century, but very little has changed.

The issue has been treated like a game of tag. Congress calls a hearing and then, tag, DOD submits a report, then, tag, Congress has a hearing, then DOD has a press conference about a new report. The game goes on and on, but no real changes actually occur.

Well, I have my own game. It's called "Truth Or Dare."

First, truth: the women in our military are more likely to be raped or assaulted by colleagues than they are to be killed by the enemy.

Truth: only 13.5 percent of victims report the crime.

Truth: only 8 percent of the cases are actually prosecuted.

Truth: the sole arbiters of reports of assaults in commands who decide which rapists are punished and will go free are, in fact, the commanders.

And now, there's a dare. I dare the Department of Defense to create a better, fairer process for handling rapes and sexual assaults. Instead of continuing a system that punishes victims and sweeps sexual offenses under the rug, I dare the Department of Defense to create an impartial office to review and handle these cases with experts in prosecution and investigation.

So what actually happened to Private Schroeder? Well, she got transferred away from her rapist to a new duty location. Prior to her arrival, her command called and told her new supervisor that she was a "troublemaker."

Two weeks after the transfer, her new superior made a pass at her. She refused to have sex with him, and he retaliated by publicly harassing her at work. When she contracted pink eye, he asked her in front of formation if she let a guy ejaculate in her eye.

She reported the harassment to command. Nothing happened. A month later, she awoke to the same supervisor sexually assaulting her. Again, she reported it to her command.

This time the command took action—against Private Schroeder. She was disciplined for having a man in her room. Private Schroeder, the victim of sexual assault, was punished after a sex

offender broke into her room and harmed her.

Private Schroeder learned not to report crimes committed against her. So 6 months later, when she was sexually assaulted again by a marine in a truck, she told no one how he attempted to have sex with her, or how, when she refused, he began to masturbate in front of her and locked the doors so she could not leave. He said, Show me your tits; and, Help me masturbate; and, You masturbate for me.

This is outrageous conduct that should not be allowed in our military. For now, victims of rape and sexual assault must follow the chain of command, even if their commanding officer chooses to ignore the problem. We need to overhaul this system.

I've introduced H.R. 3435, the STOP Act, that would take these cases out of the chain of command and create an office in the military that will handle them.

I will continue to tell stories like Private Schroeder's until something changes. Survivors can email me at stopmilitaryrape@mail.house.gov if they would like to speak out.

For more information about this issue and opportunities to advocate for change, please visit [ProtectOurDefenders.com](http://ProtectOurDefenders.com).

#### RECESS

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

Accordingly (at 11 o'clock and 3 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

#### PRAYER

Reverend Rudy Stevens, United States Army, Pinehurst, North Carolina, offered the following prayer:

Lord, too often, we Americans back home forget to pray for our leaders here in D.C. Forgive us, Lord. For those assembled here in the people's House, I pray that You give them courage, strength, and wisdom.

Give them courage from our convictions, strength from Your spirit, and wisdom for the future. For here decisions are made: choices that shape circumstances of years, if not generations, of all Americans.

All the way from California to North Carolina that airborne chorus sounds off loud and strong with, "This land is my land, and this land is your land."

And it is here in this room that chorus hits the ground and finds harmony reminding us that from many, we are one, one Nation under God that seeks liberty and justice for all, for all the fatherless and the oppressed.

So, Lord, hear our prayer and keep these leaders wise, strong, and courageous.

In Jesus' name, amen.

#### THE JOURNAL

The SPEAKER. 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. Will the gentleman from California (Ms. HAHN) come forward and lead the House in the Pledge of Allegiance.

Ms. HAHN 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.

#### WELCOMING REVEREND RUDY STEVENS

The SPEAKER. Without objection, the gentleman from North Carolina (Mr. COBLE) is recognized for 1 minute. There was no objection.

Mr. COBLE. Mr. Speaker, it is a great honor for me today to introduce Army Chaplain Rudy Stevens.

Captain Stevens lives in North Carolina's Sixth Congressional District and serves the 2-504 Parachute Infantry Regiment, 1st Brigade Combat Team of the 82nd Airborne Division at Fort Bragg, North Carolina.

During his tenure, Mr. Speaker, Captain Stevens has received many awards, most notably the Bronze Star, the Air Assault Wings, and Jump Wings. He has been deployed, Mr. Speaker, on separate occasions and will continue his duty with a deployment to Afghanistan in the coming months.

On behalf of the constituents of the Sixth District of North Carolina and my colleagues here in the people's House, Chaplain Stevens, we welcome you to the House of Representatives and extend our appreciation to you for having offered today's prayer.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The Chair will entertain up to 15 requests for 1-minute speeches from both sides of the aisle.

#### HONORING RETIRED COLONEL JOHN R. HED OF THE UNITED STATES AIR FORCE

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

Mr. CRAVAACK. Madam Speaker, I rise today to offer my respects for retired Colonel John R. Hed of the United States Air Force.

Colonel Hed was born to Swedish immigrants in St. Paul, Minnesota, on August 16, 1920; and ever since he was young, his passion was aviation. In his teens, he enlisted in the Air National Guard and eventually went on to flying school in the Army Air Corps. He later served in World War II in the Aleutian Islands. Upon his return to Minnesota, he helped start the Air National Guard base in Duluth, now the 148th Fighter Wing.

In his career, he has flown over 7,400 hours in over 75 different aircraft. He even owned a prototype, the Baby Albatross sailplane, which now resides in the Smithsonian; and in 2003, he was inducted into the Minnesota Aviation Hall of Fame.

He was a devoted husband, father, grandfather, and great grandfather. He was married to the love of his life, Artelle, for 55 years.

Throughout his 91 years on this Earth, Colonel Hed was a true American who lived by the motto of "God, family, country." Minnesota will miss him, and America will miss the likes of him.

#### THE HELP ENTREPRENEURS CREATE AMERICAN JOBS ACT

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

Mr. JOHNSON of Georgia. Madam Speaker, I rise to ask my colleagues to support a tax cut to help entrepreneurs start businesses. Today, I'm introducing the Help Entrepreneurs Create American Jobs Act to permanently double the deduction for start-up expenses. Supporting small entrepreneurs, who are the true job creators, and creating jobs should be our number one priority. That is why President Obama called for this tax cut and why I am proud to stand with businesses across my district and the Nation to introduce this commonsense proposal.

We must put party aside and make it easier for Americans to start small businesses. I ask my colleagues to support this bill.

#### THE PRESIDENT'S BUDGET DESTROYS JOBS

(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. Madam Speaker, National Review Editor Rich Lowry stated that the President's budget "is built on gimmicks and cheery assumptions that support a massive superstructure of new taxes and new debt. It is a blueprint for national decline."

The President's budget request called for the biggest tax increases and accumulates the largest debt in our Nation's history. Over the past 3 years, this administration has spent more money than ever before and increased

our national debt by almost \$5 trillion. Our unemployment rate has consistently remained above 8 percent for 36 months. It is clear that borrowing and spending more money will not create jobs. It is past time for the President and the liberal-controlled Senate to come together and support House Republicans' efforts to put American families back to work. Dozens of job-promoting bills that have passed the House are sadly held up in the Senate graveyard.

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

#### THE TRANSPORTATION BILL

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

Mr. BACA. Madam Speaker, across the Nation, Americans are calling for Congress to take immediate action to create new jobs. Instead of working on a bipartisan agenda to create jobs, Republicans are moving a transportation bill that slashes the infrastructure funding and destroys jobs.

Transportation Secretary Ray LaHood has called this bill the worst transportation bill he has ever seen. The Republican transportation bill would eliminate 550,000 American jobs, cut highway investment in 45 States, and bankrupt the highway trust fund by \$98 billion.

Congress must get serious about working together to solve the problems our Nation is facing. It just can't be "my way or the highway." Let's do a jobs bill that will create jobs for the American people.

□ 1210

#### CONGRATULATIONS TO CARDINAL- DESIGNATE DOLAN

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

Mr. GRIMM. Madam Speaker, I proudly rise today to congratulate Archbishop Timothy Dolan, who will be elevated to a cardinal in the Roman Catholic Church this Saturday. His Holiness, Pope Benedict, could not have picked a better man of faith for this prestigious role. Archbishop Dolan has dedicated his entire life to serving God and the Catholic Church.

Just 3 years ago, New Yorkers were blessed when the Pope appointed him the 10th Archbishop of New York. He has warmed our hearts with his big personality and quick wit, and he has strengthened our faith with his guidance. On a national level, his leadership has shed positive light on the Catholic Church and continues to raise his profile.

As New Yorkers, we are truly blessed to have Archbishop Dolan lead our archdiocese from the pulpit at St. Patrick's Cathedral. We couldn't be more proud that he will soon be wearing a

red hat and serving as the prince of the Catholic Church in the Pope's College of Cardinals.

Once again, I offer my warm congratulations to Cardinal-Designate Dolan and wish him Godspeed in his new role.

#### PRESIDENT'S 2013 BUDGET PROPOSAL

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

Mr. HIGGINS. Madam Speaker, on Monday, President Obama released his 2013 budget proposal. The budget recognizes that infrastructure investments are necessary to create an environment of growth. For western New York in particular, we are pleased it includes measures that benefit the Niagara Falls Air Reserve Station, Buffalo Coast Guard, Jamestown Airport, and our Great Lakes.

We need only look at the United States in 1937, Japan in the 1990s, and Europe over the last couple of years to understand the dire consequences of government pulling back at a time of economic uncertainty. For this reason, I wish the budget had gone a little further.

A New America Foundation report makes the case that investing \$1.2 trillion over the next 5 years rebuilding the infrastructure of this Nation will create 27 million jobs in 5 years. This job growth would cut the debt and deficit and create jobs for Americans, for these jobs cannot be outsourced.

#### RELIGIOUS EXEMPTION AND OBAMACARE

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

Mr. STEARNS. Madam Speaker, despite the Obama administration's recent actions to disguise their attempt to force contraceptive coverage on religious institutions, the American people will not be fooled.

The Obama administration has gone out of its way to impose its radical agenda on Americans. While some religious exemptions exist for churches, affiliated institutions such as religious hospitals or schools would not be exempt from this overreaching mandate. In fact, New York Bishop Timothy Dolan summed it up when he said:

Never before has the Federal Government forced individuals and organizations to go out into the marketplace and buy a product that violates their own conscience. This shouldn't happen in a land where free exercise of religion ranks first in the Bill of Rights.

This administration has shown no restraint in expanding the size, scope, and power of the Federal Government. We must repeal this law and restore religious freedom to religiously affiliated institutions in this country.

## COLLEGE TUITION CRISIS

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Madam Speaker, I rise to speak about our college tuition crisis. It's a topic of conversation that comes up around kitchen tables all across America. Parents are seeing college tuition creep up year after year, while their income has declined or stagnated and their savings have been squeezed. Parents are worried that their children won't get a shot at the American Dream because they simply cannot afford the cost of higher education.

The President's budget proposal makes it clear that even in these tough budgetary times we cannot shirk our responsibilities to strengthen investments in education. I share his commitment to increasing college affordability and quality. Freezing interest rates on subsidized student loans is something we can do something about right now to help millions of students across the country. Failure to act means that 7 million students could see their interest rates double to 6.8 percent.

I urge my colleagues to work with the President to make sure that this issue gets the time and attention that it deserves.

## CATCH INITIATIVE

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

Mr. OLSON. Madam Speaker, I rise today to commend the Coordinated Approach to Child Health initiative, CATCH, an innovative program being implemented in Houston and across Texas to combat rising rates of childhood obesity.

It's no secret that childhood obesity is a growing problem in our country. Statistics show that 18 percent of elementary schoolchildren are overweight, and the number is growing every year.

The University of Texas School of Public Health created CATCH to help elementary schools, children, and their families adopt healthy eating and physical activity behaviors.

CATCH is a huge success. It's been adopted by more than 2,500 elementary schools in Texas, impacting 800,000 schoolchildren—that's 50 percent of Texas elementary schools. CATCH has received national recognition for being one of the most comprehensive and cost-effective approaches in fighting childhood obesity.

Madam Speaker, I commend all schools in Texas that have adopted this program. They recognize that every child needs to be taught, and every child needs to be taught how to grow up healthy.

HAPPY 100TH BIRTHDAY TO  
LOTTIE HARRIS ROLLINS  
DUNSTON

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

Mr. BUTTERFIELD. Today, family and friends will gather to celebrate the 100th birthday of Lottie Harris Rollins Dunston, a wonderful human being who has lived in Wake County, North Carolina, her entire life.

"Grandlottie," as she is affectionately called, is the second eldest of 13 siblings, 7 of whom are still living and advanced in age. After working her way through historic Fayetteville State College, she went on to become an elementary teacher, where she shaped young minds for 41 long years.

Today, Grandlottie is a lover of Shakespeare and politics and, most of all, cherishes her independence. So often she can be seen driving her white pickup truck as she shops for her needs with her 5-year-old chocolate lab, Diva.

Madam Speaker, Grandlottie loves her supportive family that includes granddaughter Jacquelyn Rollins Wynn, whose husband serves on the U.S. Circuit Court of Appeals for the Fourth Circuit.

We pray that Grandlottie continues to enjoy health and happiness for many more years. Happy birthday to you. And most of all, thank you for making North Carolina a better place to live and work.

UNCONSTITUTIONAL GOVERNMENT  
TAKEOVER OF HEALTH CARE

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

Mr. CANSECO. Madam Speaker, when the Democrats passed the unconstitutional government takeover of health care, they cleverly front-loaded some of the provisions but left the most troubling mandates and requirements to be implemented at a later date.

Recently, the Obama administration released its controversial contraception mandate, and Americans got a glance of the looming disaster that the health care law will produce once it actually goes fully into effect. This mandate is one of the first prescribed by the Democrats' government health care takeover, but it will not be the last. Unfortunately, the HHS ruling that ignores religious freedom is just one example of the many disastrous provisions of a top-down, government-controlled health care system.

If Americans did not like this provision, they certainly won't like the IPAB, the Independent Payment Advisory Board, a group of 15 unelected, unaccountable bureaucrats who will control virtually every health care decision.

I urge my colleagues to support commonsense legislation that will protect

the rights of all human life, including the unborn, and to continue working to fully repeal the Democrats' government health care takeover as a whole, as well as the harmful individual provisions that violate our constitutional rights.

WORKING TOGETHER TO EXTEND  
PAYROLL TAX CUT AND UNEMPLOYMENT  
BENEFITS

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

Ms. HAHN. Madam Speaker, I've come to this floor practically every week for the past few months asking my friends on both sides of the aisle to work together to extend the payroll tax cut and the unemployment benefits for a full year. As we convene this today, it looks like we may have a deal.

To be sure that we follow through, let's remind ourselves what this would mean for Americans:

Working families would see more than \$80 a month in their pockets—almost \$1,000 for the year. It's always good for people to be able to keep more of their money in their own pockets;

And 2.8 million Americans and nearly 500,000 Californians, where I come from, would be able to keep their unemployment benefits, their lifeline during these tough times;

And the doc fix would allow seniors on Medicare to continue to see their own doctors.

I know the ink isn't dry, but I believe this is the type of compromise and governing that our constituents and all of America wants to see us do here in Congress. I want to encourage the leadership on both sides of the aisle to get this deal done, move forward, and create jobs in this great country.

□ 1220

H.R. 3572, THE CAMERAS IN THE  
COURTROOM ACT

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

Mr. CONNOLLY of Virginia. Madam Speaker, there's nothing more important to democracy than sunshine. This March among the most historic and momentous cases ever to come before the Supreme Court will be health care.

Many Americans supported health care reform, many opposed it. It was the product of hundreds of hours of debate on this very floor and in committees over many months. While there are a limited number of seats for the public here in the House, thanks to C-SPAN millions of Americans had the opportunity to view those proceedings.

Unfortunately, when the case comes before the Supreme Court, just 50 Americans will be able to witness it. Shouldn't transparency require that the average citizen have an opportunity to view those proceedings?

There is an easy and non-intrusive way: allowing cameras in the Supreme Court.

Along with my Republican colleague, Judge POE, I introduced H.R. 3572, the Cameras in the Courtroom Act, to require televising open Supreme Court proceedings. Sunshine remains the best disinfectant against those who might feel that the black robe of life tenure grants an entire branch of government permanent immunity from accountability.

I urge my colleagues to support this thoughtful act.

#### THE STOCK ACT

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

Mr. WALZ of Minnesota. Madam Speaker, last week this House did something that should be common but is getting rarer and rarer. We passed a bipartisan piece of legislation with a vote of 417-2. That was the STOCK Act, the Stop Trading on Congressional Knowledge bill, making sure that we have the audacity to say Members of Congress should play by the same rules as everyone else, restoring faith in our market. The Senate did the same thing, 96-3.

But I remind you of those famous words from Saturday morning cartoons in "Schoolhouse Rock," I'm just a bill, sitting on Capitol Hill. It's not the law. No conference has been decided yet. The President, while in the State of the Union, from that very perch, said he would sign that bill the very next day, but there's nothing on the horizon bringing it up.

Madam Speaker, I encourage my colleagues, and I encourage all Americans to make sure they hold us accountable. Casting that vote for a bill still keeps it a bill. We need to follow through and make it the law of the land.

#### FORMULA FOR INNOVATION AND JOB CREATION

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

Mrs. BLACKBURN. Madam Speaker, in the wake of the Obama budget that has been filed this week and has been called everything from a nervous breakdown on paper, to a disaster, to not a serious budget, we get more news this morning.

According to a Gallup poll that has come out this morning, 85 percent of small business owners in this country indicated that they are currently not looking for workers. Asked why, 48 percent said it was due to concern about possible rising health care costs. Forty-six percent said that they were worried about new government regulations because last year this administration gave them about 4,000 new mandates and gave them about 80,000 pages of new Federal regulations.

We need to return to the time-tested formula that always works in this country: less regulation plus less taxation plus less litigation always equals more innovation and more job creation right here in this country.

We know that the total cost of Federal regulation has risen to \$1.75 trillion annually, twice what is collected in Federal income taxes. Let's get on the right track.

#### COMMENDING PRESIDENT OBAMA'S TAX REFORM PROPOSALS TO CREATE JOBS AND BRING JOBS BACK TO THE UNITED STATES

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

Mr. FALEOMAVAEGA. Madam Speaker, this week President Obama revealed his FY 2013 proposed budget, which introduces important tax reforms to revitalize the economy by boosting job creation and encouraging businesses to bring overseas jobs back to America.

President Obama's proposed budget especially underscores his commitment to provide needed tax relief for America's small businesses. For example, the proposed budget offers a temporary 10 percent tax credit for small businesses that add new jobs and raise workers' salaries.

Madam Speaker, the proposed budget also offers tax incentives for locating jobs in the United States while eliminating tax deductions for shipping jobs overseas and closing tax loopholes that result in outsourcing U.S. jobs to foreign countries.

Madam Speaker, in line with the focus on American manufacturing, President Obama also introduced temporary tax credits to direct some \$20 billion to domestic clean energy manufacturing.

Madam Speaker, I commend President Obama for introducing significant reforms that will put America back to work, return profits to America's private sector, and promote a stronger American economy.

#### CONGRESSIONAL GOLD MEDAL FOR CIVIL RIGHTS WORKERS

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

Mr. COHEN. Madam Speaker, this is Black History Month, and I introduced recently a proposal to have a Congressional Gold Medal issued to a cumulative group, the individuals who marched for freedom, sat in, brought about civil rights in our Nation, all the civil rights leaders and workers.

In this Nation, to make it the country that Thomas Jefferson and our Founding Fathers wrote about, it took civil rights workers to protest and demonstrate and sometimes go to jail

to change this country's path and see to it that all people were created equal, and that all people had equal opportunities in this Nation. I think those people deserve recognition because they made America's promise its reality.

To date, we've sent out a letter asking for cosponsors three times to every Member of Congress, and yet we don't have a single Republican with us. This should be a bipartisan effort, and I would ask all my Republican colleagues to ask their LA's to sign on to the Congressional Gold Medal for civil rights workers. It's something we should come together with in a bipartisan fashion because it's as American as apple pie.

#### OUR ECONOMY IS RECOVERING

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

Mr. YARMUTH. Madam Speaker, there's no question that our economy is recovering. The private sector has added jobs for 23 straight months, putting 3.7 million Americans workers back on the job.

Last week, in my district, GE opened its first new manufacturing facility and the first new product line at Louisville's Appliance Park in more than 50 years. Because of our Recovery Act investments, 1,300 workers will be back on the job at Appliance Park, and hundreds of those jobs are coming back from China.

When the private sector can rely on the Federal Government as a partner, jobs and economic growth follow, and that's exactly what we're seeing today in my district and across the country.

We decided we are not going to surrender the lead in innovation to the Chinese and the rest of the world, and as a result, we are revitalizing American manufacturing. We are making it in America, but we can't stop now.

Madam Speaker, as we begin to debate the Federal budget, we must continue to invest in American innovation and ingenuity, the way we have in Louisville and in so many other cities across the country.

#### WORST TRANSPORTATION AUTHORIZATION BILL IN OUR NATION'S HISTORY

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

Mr. MORAN. Madam Speaker, the House leadership is still scrambling to find the votes to pass what everyone is coming to recognize as the worst transportation authorization bill in this Nation's history. But with gasoline prices approaching \$4 a gallon, House Republicans are falling back on their wrong-headed 2008 campaign slogan of "Drill, Baby, Drill."

It's a cynical ploy, and assumes Americans think that the pain of high

gasoline prices is justifiable grounds to open restricted areas for drilling and weaken protections that would ensure offshore drilling is done in a safe and environmentally responsible manner.

The cold reality, however, is that this bill will not bring relief to Americans suffering at the gasoline pump, and prosperous fishing and tourism industries—real job creators—based in Bristol Bay, southern California, the west coast of Florida, and Virginia will needlessly be placed at risk.

And for what? Approximately \$1.8 billion in new Federal revenue over 10 years. Not nearly enough to fund public transit or any other meaningful part of a transportation infrastructure bill.

And the revenue generated by drilling off Virginia's coast: \$40 million over 10 years. Our Governor says that's what's going to pay for his transportation plan. It pays for nothing. Billions in economic activity and tens of thousands of jobs would be put at risk for very little in benefits.

□ 1230

PROVIDING FOR CONSIDERATION OF H.R. 3408, PROTECTING INVESTMENT IN OIL SHALE THE NEXT GENERATION OF ENVIRONMENTAL, ENERGY, AND RESOURCE SECURITY ACT; PROVIDING FOR CONSIDERATION OF H.R. 3813, SECURING ANNUITIES FOR FEDERAL EMPLOYEES ACT OF 2012; AND PROVIDING FOR CONSIDERATION OF H.R. 7, AMERICAN ENERGY AND INFRASTRUCTURE JOBS ACT OF 2012

Mr. WEBSTER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 547 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 547

*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. 3408) to set clear rules for the development of United States oil shale resources, to promote shale technology research and development, 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, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, an amendment in the nature of a substitute consisting of the text of titles XIV and XVII of Rules Committee Print 112-14 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 part A of 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.

SEC. 2. 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. 3813) to amend title 5, United States Code, to secure the annuities of Federal civilian employees, 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 Oversight and Government Reform. 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 Oversight and Government Reform now printed in the bill, an amendment in the nature of a substitute consisting of the text of title XVI of Rules Committee Print 112-14 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 part B of 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.

SEC. 3. 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. 7) to authorize funds for Federal-aid highway, public transportation, and highway and motor carrier safety programs, 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. 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 titles I through XIII and title XV of Rules Committee Print 112-14 shall be considered as adopted in the House and in the Committee of the Whole. General debate shall be confined to the bill, as amended, 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 Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

SEC. 4. In preparing an amendment in the nature of a substitute to be adopted pursuant to this resolution, the Clerk shall retain the title and section designations as they appear in Rules Committee Print 112-14.

SEC. 5. In the engrossment of a measure addressed by the first or second section of this resolution, the Clerk is authorized to make technical and conforming changes to amendatory instructions.

SEC. 6. (a) In the engrossment of H.R. 7, the Clerk shall—

(1) await the disposition of H.R. 3408 and H.R. 3813;

(2) add the respective texts of H.R. 3408 and H.R. 3813, as passed by the House, to H.R. 7, retaining the title and section designations as they appear in Rules Committee Print 112-14 to the extent possible;

(3) conform the title of H.R. 7 to reflect the addition of the text of H.R. 3408 or H.R. 3813, as passed by the House, to the engrossment;

(4) assign appropriate designations to provisions within the engrossment; and

(5) conform provisions for short titles within the engrossment.

(b) Upon the addition of the text of H.R. 3408 or H.R. 3813, as passed by the House, to the engrossment of H.R. 7, H.R. 3408 or H.R. 3813 (as the case may be) shall be laid on the table.

SEC. 7. The chair of each of the following committees is authorized, on behalf of the respective committee, to file a supplemental report to accompany any of the following measures:

(a) Natural Resources, with respect to H.R. 3407, 3408, and 3410;

(b) Ways and Means, with respect to H.R. 3864; and

(c) Oversight and Government Reform, with respect to H.R. 3813.

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

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

## GENERAL LEAVE

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

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

There was no objection.

Mr. WEBSTER. Madam Speaker, I rise today in support of this rule and the efforts made to address our aging national infrastructure and chronic unemployment.

House Resolution 547 provides for a structured rule for consideration of H.R. 3408, the Protecting Investment in Oil Shale the Next Generation of Environmental, Energy, and Resource Security, PIONEERS, Act; a structured rule for H.R. 3813, the Securing Annuities for Federal Employees, SAFE, Act; and general debate for H.R. 7, the American Energy and Infrastructure Act.

□ 1240

This rule makes 20 amendments in order for the PIONEERS Act. Of these, 13 are Democrat amendments; three are Republican; and then there are three bipartisan amendments. This rule also makes three amendments in order for the SAFE Act. However, over 80 percent of the amendments submitted to the Rules Committee are dealing with H.R. 7, so the bulk of the amendment debate will take place later this week. Finally, this rule sets the stage for robust debate on H.R. 7, the American Energy and Infrastructure Jobs Act, the long-term surface transportation reauthorization.

In order to gather innovative ideas and input into the reauthorization proposal, in addition to the regular subcommittee and full committee hearings held here in Washington, Transportation and Infrastructure Chairman MICA and the committee conducted several bipartisan and, in some cases, even bicameral hearings at public forums around the country. In total, 14 field hearings were held in locations like Los Angeles and Chicago to Millington, Tennessee, and Maitland, Florida.

The previous transportation authorization, SAFETEA-LU, was enacted in 2005, and it expired on September 30, 2009. Since that time, surface transportation programs and activities have operated under a series of short-term extensions. The most recent of these extensions expires on March 31, 2012. The Transportation and Infrastructure Committee put together a long-term reauthorization of highway, transit and highway safety programs that will provide much-needed certainty and stability to those charged with rebuilding our Nation's infrastructure and all who depend on it for their safe travel.

H.R. 7 authorizes approximately \$260 billion over 5 years for highway, transit, rail, safety, and other programs, which is consistent with current funding levels. It provides 5 years of stability for States to undertake major in-

frastructure projects and to provide lasting employment. It also allows States to spend their highway money on actual highway projects. By removing Federal requirements that currently force States to spend highway money on nonhighway activities, the American Energy and Infrastructure Jobs Act ensures that our Nation's highways and bridges are repaired and properly maintained and that Federal dollars are spent on the most crucial infrastructure needs.

As opposed to past transportation efforts, this bill stops the annual raid on the general fund to bail out the highway trust fund, and is paid for by CBO-scored savings and revenues.

Significant savings are generated by the SAFE Act, which increases Federal employee pension contributions to 2.3 percent. It also increases pension contributions by Members of Congress to 2.8 percent. Revenues are also generated by the PIONEERS Act, which not only removes Federal barriers that block the production of our own U.S. energy resources, but also creates over 1 million new energy jobs.

Finally, unlike past transportation bills, including those overseen by both Republicans and Democrats, H.R. 7 contains no earmarks. To put that in perspective, the previous transportation law contained over 6,300 earmarks. The American Energy and Infrastructure Jobs Act also significantly reforms transportation policy in this country.

As families across the Nation tighten their own belts during these difficult economic times, they are reexamining their budgets to ensure no penny is wasted on unnecessary or duplicative expenses. Because your pennies are placed into the highway trust fund every time you fill up your car due to the Federal gas tax, it is in that same and necessary spirit that the American Clean Energy and Security Act reexamines the dozens of programs paid for by the highway trust fund to root out any duplication, waste, or inefficiency.

Currently, there are over 100 Federal surface transportation programs. Many were added over the last 50 years since the Interstate Highway System was created in 1956 in order to expand the scope of the original programmatic goals of our transportation system. The American Energy and Infrastructure Jobs Act reforms surface transportation programs by consolidating or eliminating approximately 70 programs that are duplicative or do not serve a Federal purpose.

By eliminating or consolidating these cookie-cutter programs that the Federal Government is certainly known for, stamping out a program that supposedly fits Florida and Montana and Maine and every other State equally and including the cities and counties within those communities, which is almost impossible to have one plan fits all, this eliminates many of those programs. It gives them the flexibility to create programs on their own,

similar to what the President just did by exempting many States from No Child Left Behind. Why? Because the States did a better job than the cookie-cutter approach done by that particular program.

By eliminating or consolidating these cookie-cutter programs, the American Energy and Infrastructure Jobs Act helps to ensure that taxpayer dollars go to high-priority projects that have a direct connection to our economy. By eliminating requirements for States to spend highway funds on nonhighway activities, H.R. 7 permits States to fund those activities which they choose, but it allows States to also fund their most crucial infrastructure needs first. The bill also strengthens safety programs and gives States more flexibility to develop innovative safety initiatives that save lives.

In short, the bill seeks to return the focus of our highway funds to interstate commerce and safe travel, and it allows States to choose their own courses of action.

For those projects that are crucial for the safe and efficient movement of goods and people around our Nation, this legislation streamlines their delivery process or construction time by cutting the average highway construction completion time in half, from 14 years to 7 years.

The American Energy and Infrastructure Jobs Act cuts the bureaucratic red tape by allowing Federal agencies to review transportation projects concurrently, delegates project approval authority to the States, and establishes hard deadlines for Federal agencies to make decisions on permits and project approvals. The bureaucracy inherent in the approval and delivery process has proven to be the real hurdle, delaying long overdue improvements to highways, bridges, and other projects. H.R. 7 also expands the list of activities that qualify for categorical exclusions, an approval process that is faster and simpler than the standard process.

While cutting the project review process time in half, we are also ensuring environmental protections, such as those under the National Environmental Policy Act, NEPA, remain in place while making infrastructure improvements in a much more effective manner.

The American Energy and Infrastructure Jobs Act also reforms financing programs to increase private sector involvement in building infrastructure. For example, it funds the Transportation Infrastructure Finance and Innovation Act, the TIFIA program, for low-cost interest loans at \$1 billion per year. It also incentivizes States to build upon the existing State Infrastructure Bank program by allowing States to seek out revenue-generating infrastructure projects that lack the capital to move from planning to pavement.

As these pressing State and local infrastructure needs are met, taxpayer exposure for future projects will lessen

as revenues generated by the State Infrastructure Bank-funded projects will be recycled back into the infrastructure bank for future projects. The American Energy and Infrastructure Jobs Act provides certainty to communities that infrastructure will be rebuilt, and it provides stability to those whose jobs depend on our commitment to rebuilding it.

Given the current economy, it seeks to safeguard valuable taxpayer dollars by cutting Washington red tape and by leveraging private sector dollars. It frees up States and local governments to make decisions that are in the best interests of their communities that they serve. It does all of this without a single earmark or a single tax increase, and it's all paid for.

Once again, Madam Speaker, I rise in support of this rule and of the efforts made by the relevant committees to address the Nation's infrastructure and chronic unemployment. I encourage my colleagues to vote "yes" on the rule, and I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I want to thank the gentleman from Florida (Mr. WEBSTER) for yielding me the customary 30 minutes. I yield myself such time as I may consume.

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

Mr. MCGOVERN. Oh, my goodness, I don't even know where to begin. I first would like to publicly thank the Reading Clerk for his patience in slogging through the reading of this terribly complicated and confusing rule. I think the mere reading of this rule says it all, demonstrating how messed up this process is.

□ 1250

Madam Speaker, Speaker BOEHNER used to be fond of criticizing bills by saying, they wouldn't pass the "straight face" test. Well, let me tell you, I'm having trouble keeping a straight face right now, not when I look at this incredibly partisan, slapdash set of bills before us, not when I look at the awful, convoluted process that got us here.

Madam Speaker, this process is an absolute travesty. The Republican leadership took a thousand-page bill—the most partisan transportation bill in congressional history—and made it worse. They took a bill that was written in secret and jammed through the Transportation Committee and inserted unrelated and controversial provisions like Keystone pipeline, ANWR, offshore drilling, and cuts in Federal pensions. Even worse, they changed the rules in the middle of the game because yesterday morning, after everyone had submitted their amendments to the original single bill, Speaker BOEHNER decided to split it into three separate measures, and he said it was in the name of transparency. Transparency? Give me a break. It was more like the Valentine's Day massacre of transparency.

You know a bill is bad when the Competitive Enterprise Institute, Taxpayers for Common Sense, and the Natural Resources Defense Council are all opposed to how it's structured. Talk about strange bedfellows.

Transportation Secretary Ray LaHood, a former Republican Congressman, called H.R. 7 "the most partisan transportation bill that I have ever seen," and "the worst transportation bill I've ever seen during 35 years of public service."

The chairman of the Transportation Committee calls this a bipartisan product. Madam Speaker, making Democratic amendments in order in and of itself and then defeating them doesn't make a bill bipartisan. Transportation bills, by their nature, have always been truly bipartisan, written together by the majority and minority. Republicans and Democrats in the past have not only worked in good faith on this bill, but they have put their differences aside and did their jobs. I should know. I served on the Transportation Committee during a Republican-controlled House in my first term, and I served as a conferee to the 1998 reauthorization bill.

Yet H.R. 7 abandons years of good-faith efforts by members of both parties to thoughtfully and responsibly craft a bipartisan transportation bill that reflects the priorities and vital importance of infrastructure investments across this country. H.R. 7 slashes investments in Federal highways by \$15.8 billion from current levels over the bill's duration. It does so at a time when our roads and bridges are crumbling before our eyes. This bill ignores that harsh reality. It guts transit funding by de-linking dedicated Federal funding from the highway trust fund and lumping it in with a smorgasbord of other transportation accounts that will be forced to compete for annual appropriations.

What's most egregious and irresponsible about this bill—worse than the hyperpartisanship, worse than the atrocious process—is that this bill will result in 550,000 job losses. We should be focused, Madam Speaker, on creating good jobs in manufacturing and construction—two sectors hardest hit with job losses—not kicking them while they're already down.

And like so many other bills, Republicans couldn't let an opportunity pass to help their friends at Big Oil. Oil companies are making more money, hand over fist, to the tune of tens of billions of dollars in record profits every year. Now we're seeing gas prices rise again. Yet Republicans continue to provide \$40 billion worth of taxpayer-funded subsidies to companies that don't need them and don't deserve them.

Last night in the Rules Committee, I tried to end taxpayer subsidies to Big Oil. But instead of asking ExxonMobil, BP, Chevron, Shell, and other Big Oil companies to pay their fair share while prices at the pump rise, the Repub-

licans doubled down for their corporate friends and blocked my amendment. I offered it three different ways last night, and all three ways were rejected, not even given the courtesy of consideration on this House floor. I will offer it again today, if the Rules Committee meets, but I have no doubt the other side will continue what they usually do: stand with Big Oil and continue to block my amendment.

Allowing more oil and gas drilling off our coasts and opening up the treasured Arctic National Wildlife Refuge to drilling will do nothing to lower gas prices in the short term, let alone pay for this bill. At best, it will be years before any money would come from the new drilling areas.

And let's not forget the Keystone provision that's jammed in here that would automatically deem—I used the word "deem"—the environmentally harmful pipeline approved.

Oh, and then there's the provision to force Federal employees—who are currently under a 2-year pay freeze—to nearly triple their contributions to their Federal retirement accounts. The Republican leadership has, once again, found a way to take a swipe at Federal employees, even in a surface transportation bill.

This part is really confusing. The Republicans are using this attack on Federal employees to pay for the highway bill, but they are also, apparently—according to press reports—using the same revenue to pay for the payroll tax extension. Perhaps my friend from Florida—and I'm happy to yield to him—could explain to us how they expect to use the same pot of money to pay for two separate things.

Well, maybe we'll get an answer later on in the debate.

Madam Speaker, Democrats want a fully funded, commonsense transportation bill that puts people back to work. We want a bill that makes our roads and bridges safer, not more dangerous. We want a bill that is good for America. This is not that bill. This bill before us is nothing but red meat political propaganda at its worst. It simply makes no sense. It will not become law. We should scrap this bill and start over and do it the right way. That's the way we've always done it. We should do it in a bipartisan way, come together, and help to get a really good transportation bill that will put people back to work.

I reserve the balance of my time.

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

In hearing what I heard in the Rules Committee last night and here on the floor this morning, it reminds me that people who have been here a long time love cookie cutters, and so many of the people that are opposed to this bill are opposed to it because they like cookie cutters. They like to say that this program works here and there and everywhere, as opposed to giving flexibility to the States.

Cookie cutters are used in education funding. They are used in Medicaid funding. They are used in this particular funding for transportation. And they're used to limit the flexibility of States who really know what their program is. It's far better for the District Five MPO in central Florida to put together a program, build it from the ground up, determine what their needs are and what modes of transportation they would like to have, build that program, send it up to the State, the legislature passes it, and it becomes law.

But no. Right now, there are so many different little programs that you have to put money into that you cannot devise your own program. You have to live within the constraints of a Federal Government that believes in cookie cutters. And it's sad.

So when you start talking about people who have been around for 35 years and they've never seen a program like this—no, because they love cookie cutters. They love it the way it is because it promotes the Federal Government making decisions for the States and local communities, as opposed to the local communities being able to develop their own programs.

So let me tell you what they did to Florida. In Florida, at one point in time, back in the times that we're talking about, we got 69 percent of our money back while States in other areas of the country, including the northeast, got maybe two times that amount of money. So the money and the funding and the flexibility were all non-existent. Why?

If I were on the take, I would have liked to have kept it the way it was, but when we begin flattening it out and giving every State a chance and returning more moneys back to the State and with that return also allowing them to make their own choices on how they would fund their transportation projects and what kind of needs they have, and being able to, with flexibility from the Federal Government, provide for those needs for local communities, there are a lot of people who say, I don't want to do it that way. Why? I love cookie cutters.

I reserve the balance of my time.

□ 1300

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

I don't know what the gentleman is talking about. All I do know is this bill underfunds our highway and transportation system. It guts mass transit. It's not good for any State in this country. We deserve a better bill.

Also what I have learned is all of these new Members who came to Washington and say they want a more open process are giving us one of the most convoluted processes I think I have ever witnessed on this floor.

At this time, it is my privilege to yield such time as she may consume to the gentlewoman from New York (Ms. SLAUGHTER), the ranking member of the Rules Committee.

Ms. SLAUGHTER. Madam Speaker, I thank the gentleman very much for yielding.

We stand here today considering a rule that is a blatant manipulation of the legislative process, which we have been pretty proud of, frankly, since the beginning of time here. Process is very important in the legislative business; and while it may seem like cookie cutter, we all still revere Thomas Jefferson and his manual. That's just the way we are, I guess.

But breaking with longstanding, bipartisan tradition for the consideration of surface transportation bills, today's rule throws all notions of bipartisanship and transparency out of the window. As you've heard, it is the first transportation bill since Eisenhower was President that was not bipartisan, and it moves toward a transportation bill that has been widely condemned on both sides of the aisle and by almost everybody who knows about it in the United States.

Now, as you can see on this poster beside me, the Grand Old Pretzel's rating system tracks the legislative contortions that are being done by the Republican leadership as they pursue a hyperpartisan agenda. We launched this system to answer the calls of the American people: What in the world is going on there? No matter which party is in power, the American people demand a fair shot, not a rigged game.

The legislative acrobatics being done by the majority are really quite remarkable. I don't know anybody else on Earth who could have even thought of it. Their stunt work began late last week, as Mr. MCGOVERN pointed out, when we were fully expecting to come in on Monday and deal with a thousand-page transportation infrastructure bill, legislation that we knew already, because we'd heard so many complaints about it, that was cobbled together into Frankenstein's monster. It is made up of completely, believe me, completely unrelated and most times unvetted provisions that addressed almost every issue under the sun.

The Secretary of Transportation, as we all know who is our good friend, deplores this bill. He would like to see this bill fail.

However, before the Rules Committee convened last night, and that's not the first time this year, we were given last-minute notice that Frankenstein's monster was going to be disassembled and broken into three separate bills. This last-minute change would allow the majority to limit the number of germane amendments—300 were filed—and rule out of order commonsense attempts by Democrats to make some special interests, such as Big Oil—and Mr. MCGOVERN has fought this for years—pay their fair share instead of receiving billions of dollars in taxpayer subsidies.

After forcing through these three bills, the majority plans to direct the Clerk of the House to stitch it back to-

gether. So the whole purpose of it is to try a sleight of hand. What shell game are we playing here? That's what we're up to, I'm afraid. So that gives the Senate a stitched-together bill which we had cut into three. I don't want anybody to miss this point. And they can take it or leave it. Or, I hope, have a better bill than this. That's what we're hoping for.

For inventing a way to pass as many Republican amendments as possible, and block as many Democrat amendments as possible, while still sewing this monster back again, I want to award the majority four Grand Old Pretzels, the coveted Quadruple Contortion.

The majority has truly achieved the remarkable. Unfortunately, their acrobatic achievements come at great cost to the House; and by pursuing a partisan agenda over transparency and bipartisanship, the majority moves forward alone, against the wishes of their colleagues and the American people.

And I certainly should mention that the President has said this bill will be vetoed by him. He again calls for us to work in a bipartisan manner, not to be throwing more people out of work but to create jobs with an infrastructure bill which is time honored and may be as cookie cutter as it gets but, by George, it works.

Mr. WEBSTER. Madam Speaker, I yield such time as he may consume to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Madam Speaker, I enjoyed watching "Moneyball." I enjoyed reading the book as well. In the book, they talk about fielding averages, players who don't make many mistakes. And in the book, Billy Beane said the talent for avoiding failure is not a great trait. In fact, the easiest way that someone can avoid making a mistake is just being too slow to get to the ball.

With all due respect, this administration and my good friends on the other side are simply too slow to get to the ball. The background or the basis of their arguments against this particular rule for this particular bill is they wish to fund transportation programs the old-fashioned way, which means we spend money we don't have. What we're trying to do with this particular bill is go outside of the box and find a way to actually pay for infrastructure improvements, a way to pay for our transportation needs, and to do it with energy development, like we all have a problem with escalating prices of gas at the pump.

For the most vulnerable of our society, we have a problem with them paying for heating oil. Economic development, business development demands a cheap source of energy, if it's going to happen; and we need to find a way to fund our infrastructure needs, and we are wrapping them all together by paying for it with economic energy development. Who can possibly be opposed to that?

Even the President of the United States, in one of his arguments for having a payroll tax increase, said the reason we need to do it is because we are paying too much money at the pump for gasoline, which I think is justifiable in his case. When President Obama came into office, the average cost of gasoline was \$1.79. Today, the average cost for a gallon of gasoline, not inflated prices, just same dollars, is \$3.28. That's an 83 percent increase in the cost at the pump since President Obama has been in office.

Now, we asked in the Rules Committee the other day, if we went back to the old-fashioned way of paying for transportation and just paid for it out of gas taxes, how much would we have to raise to fund this particular program? And the guesstimate at that time was around 20 cents a gallon—20 cents a gallon. Even if you had a small car, that's still two to three bucks a time every time you went to fill up. At that rate, nobody in the car can afford a Big Gulp. Basically, what we're trying to do on the Republican side is allow people to drive with good drinks on good roads. Our friends on the other side apparently want us to walk; or if we have good roads, you have to pay significantly more for it. That simply is wrong.

We have problems with heating oil in this country. The other side's approach to it is simply freeze in the dark. There is a better way of doing it; and this bill, these bills, try to accomplish that.

The other day we heard in the Rules Committee that there is no oil in ANWR. That comes as a great surprise to people who live in Alaska, which is maybe one of the reasons why the State Legislature of Alaska has asked us to please allow them to have access to their resources. The Native Americans who live near ANWR have asked us and begged us to please allow them to have job production by allowing them to be able to get to the resources of their area. And, indeed, if we had not usurped the control of the lands of those people, this would have happened well before that.

Even President Carter has suggested that this particular area in ANWR is where we should be developing our oil and gas resources, and that's specifically why it was put there. The fact that we haven't done it is nothing more than a dissatisfaction and a shame on us as the U.S. Congress.

I heard the other day that there is no plan for oil shale development. We have no technology to do it, even though Estonia has been doing it for over 100 years in a way that has minimal amount of water that's used. Last year, they produced 1.3 million barrels, meeting the European Union environmental standards.

My friends over in Germany who are trying to get away from nuclear are looking to Estonia and using their oil shale to supplement what they need. And we don't have the technology to go forward with that?

We are looking in the western States as a Saudi Arabia of oil shale. We have more energy potential in those three States than there is in Saudi Arabia, and all we are asking to do is be allowed to deal with it. In the 2000s, the professionals on the ground, they did the study. They charted the land. They held the town meetings, and they came up with a plan that this administration threw out the window, arbitrarily making a political deal to stop that. What we're asking is to go back to that as our starting foundation. What the professionals on the ground did, use that as our basis to start moving forward in this particular area.

I heard that the CBO said there's no money to be gained out of it, there's no energy from that.

□ 1310

What the CBO actually said is, of course, there is, but by scoring it—you're not going to score in the future—it's zero because you already know what's going to happen in the future. It is there, it is possible, and we can do it.

We want alternative energy. We certainly want more solar power, as long as you're not bailing out failed programs. We want more wind power, especially off the coast of Massachusetts. We just want to have every element—every element—of our energy portfolio developed, including what we have here in the United States. These bills do just that.

Let me figure out one last reason to do it. It's for kids. I live in a State where 70 percent of the land is owned by the Federal Government. That means, quite simply, when we try to fund our education system, we cannot charge property tax on our land. When you stop, by arbitrary decisions of the Department of Energy, developing resources, we don't get income tax from high-paying jobs, we don't get severance tax, and we don't get royalty payments.

That means the 12 western States that have all the BLM lands grew their education funding over the last 3 years at a 35 percent rate. That's not bad. But every State east that has no BLM land that doesn't have these kinds of restrictions grew their education funding at 68 percent, almost two to one. That's the difference. That's the reality.

What we are doing when we stop energy development, it's hurting kids in the West—my kids. Their education opportunities are retarded simply because we do not allow the development of resources that are there, and that should be done.

Look, we're asking you simply to allow us to develop these lands and, in so doing, make it possible to have cheaper gas at the pump, make it possible to heat our homes cheaply, make it possible for energy development that goes on energy, cheap energy, and build infrastructure with it at the same time to develop our potential.

All I want you to do, Madam Speaker, is to follow the words that are printed above you on that wall where it simply says: "Let us develop the resources of our land, call forth its powers, and see whether in our day and generation, we may not perform something worthy to be remembered."

It is time for us to do something worthy to be remembered by developing our resources, using it to pay for infrastructure, and for Heaven's sake, for once, Congress doesn't need to be too slow to get to the ball.

Mr. MCGOVERN. Madam Speaker, let me yield myself such time as I may consume.

Madam Speaker, let me just make a couple of points to remind my colleagues of a few things. One is, this bill breaks the tradition of bipartisan action to rebuild our economy, to create jobs, and strengthen our economy. This bill, the Republican bill, kills 550,000 American jobs. It kills them. It cuts highway investments in 45 States and bankrupts the highway trust fund by \$78 billion.

I would like to include for the RECORD a statement by the ranking member, Mr. RAHALL, talking about CBO's estimate, prediction that this would bankrupt the highway trust fund.

NEWS FROM THE HOUSE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, REP. NICK J. RAHALL, II—RANKING MEMBER

For Immediate Release: February 13, 2012.

BREAKING NEWS—CBO: REPUBLICAN SURFACE TRANSPORTATION PROPOSAL BANKRUPTS HIGHWAY TRUST FUND—REPUBLICAN LEADERSHIP'S BILL FALLS \$78 BILLION SHORT OVER TEN-YEAR PERIOD

WASHINGTON, DC.—According to a new analysis released this afternoon by the non-partisan Congressional Budget Office (CBO), the Republican Leadership's surface transportation bill that the House is expected to act on later this week would bankrupt the Highway Trust Fund by 2016 and create a \$78 billion funding shortfall over a ten-year period.

"The Republican Leadership's partisan signature 'jobs' bill is not sustainable, and would lead America's transportation programs down a reckless path toward bankruptcy," said U.S. Representative Nick J. Rahall (D-WV), top Democrat on the House Transportation and Infrastructure Committee. "There is no doubt we need to pass a long-term bill that creates certainty, but the only thing this bill does is make certain the Highway Trust Fund will go belly up even before the end of the bill."

New projections released today by CBO show the balance of the Highway Account of the Highway Trust Fund will go broke by fiscal year 2016 under the Republican Leadership's controversial plan. Over a ten-year period, the bill would create a \$78 billion funding shortfall in the Highway Trust Fund, adding greater uncertainty to the future integrity of surface transportation programs.

"Despite attempts by Republican Leadership to cobble together a hodgepodge of funding that included giveaways to Big Oil, cutting pensions for middle-class American workers, and a bailout from the General Fund, the bill is going to create a huge funding shortfall that will jeopardize the ability of States and local communities to move forward with construction projects down the

road," said Rahall. "Instead of working with Democrats in a bipartisan fashion to create jobs, Republicans are advancing a partisan proposal that will destroy 550,000 American jobs while putting the future of transportation programs in doubt."

CBO's analysis of H.R. 7, which is also available on the House Transportation and Infrastructure Committee Democrats' Website at: <http://go.usa.gov/QET>.

I also want to point out to my colleagues both from Utah and Florida, under this bill, Utah would lose \$159 million over 5 years in highway funding according to the Federal Highway Administration. That, according to economists, is 5,531 jobs. In Florida, there would be a cut of \$880 million over 5 years compared to current law; and according to economists, that would destroy 30,637 jobs. Now granted, this thing is over 1,000 pages, so I could forgive my colleagues for not reading the fine print on the bill; but if they read the fine print and they were advocating these kinds of reductions for their States, let me just say I'm glad they're not my Congressmen.

At this point, I'd like to yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. I thank the gentleman for yielding.

Madam Speaker, this bill is a tragic exercise. It's a waste of time, and here's why. This is probably the only chance for a jobs bill this year, but it destroys almost 600,000 jobs. This bill is the only chance for every State to start on its backlog of projects for roads and bridges and transit, but it has cuts for every State except for five States. This bill is the only opportunity for Federal funding for mass transit across the country, but the bill defunds the Federal allocation for mass transit funding that began with Ronald Reagan.

This bill is the only major piece of Federal legislation that has paid for itself with user fees, but this bill uses Federal employee pensions from hard-pressed middle-income workers to subsidize roads for almost 300 million Americans. This bill was the only chance this year for a bipartisan bill based on the long history of bipartisan Transportation and Infrastructure bills, but it is rife with poison pills that guarantee that it will be stillborn.

Historically, the Transportation and Infrastructure bill has been our most popular bill. Even before coming to the floor today, this bill has received thumbs down across the Nation. That's what it should get here, too.

Mr. WEBSTER. Madam Speaker, I just want to remind the Members that this bill, H.R. 7, will also be allowed to be amended. It will require another rule. There's no previous question in here; we're not moving towards that. We're going to have the opportunity to amend that bill at a later date. So I did say that in my opening remarks. I just want to remind the Members.

I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I'm happy to yield to the gentleman

from Florida, or anybody, who can explain to me what's happening. I just got an email from the Rules Committee saying that the meeting on the transportation bill that was scheduled for 2 o'clock today to deal with hundreds of amendments that Members have offered has now been postponed subject to the call of the Chair. I'm wondering whether my friend from Florida or Utah or somebody could tell me whether they have any idea why the meeting was canceled and when it's going to be rescheduled.

I'm happy to yield to the gentleman.

Mr. WEBSTER. Well, I thank the gentleman for yielding. And the answer to that question is that this—different from the last Congress—this Congress allows amendments to bills, lots of them. There have been a huge amount of amendments filed to this H.R. 7, and it's going to take awhile to go through them to make sure they're germane and so forth. The meeting is coming. Don't worry about that. It's just not going to happen by 2 o'clock.

Mr. MCGOVERN. I just say to the gentleman, from my understanding, there's already been a cutoff for amendments, that people can't file new amendments as we speak. Or is the gentleman telling me something different?

Mr. WEBSTER. Yes.

Mr. MCGOVERN. We've passed the amendment deadline—

Mr. WEBSTER. I'm not talking about future amendments; I'm talking about the ones already filed. There are many, many amendments. In reviewing those, there's a process, and we're going to do that.

Mr. MCGOVERN. Well, I appreciate that.

Let me ask the gentleman this: yesterday, we were told—well, I'm reading right now news reports that one of the problems is that one of your offsets to the payroll tax cut, which is going after Federal workers' pensions, is the same offset that you have in the highway bill.

Is that the reason why this is being postponed, because the Republican leadership can't quite figure out how they're paying for any of this stuff?

Mr. WEBSTER. Not to my knowledge, no.

Mr. MCGOVERN. I thank the gentleman.

Madam Speaker, at this time, I would like to insert in the RECORD the Statement of Administration Policy making it very clear that this bill would be vetoed.

#### STATEMENT OF ADMINISTRATION POLICY

##### H.R. 7—AMERICAN ENERGY AND INFRASTRUCTURE JOBS ACT OF 2012

(Rep. Mica, R—Florida, and Rep. Duncan, R—Tennessee, Feb. 14, 2012)

The Administration strongly opposes the Rules Committee Print of H.R. 7, which includes H.R. 3408, the Protecting Investment in Oil Shale the Next Generation of Environmental, Energy, and Resource Security (PIONEERS Act) and H.R. 3813, the Securing Annuities for Federal Employees Act of 2012.

H.R. 7 does not reflect the historically bipartisan nature of the Transportation and Infrastructure Committee. The Administration has serious concerns with provisions in the bill that would make America's roads, rails, and transit systems less safe, reduce the transportation options available to America's traveling public, short circuit local decision-making, and turn back the clock on environmental and labor protections.

This bill would reduce safety throughout the Nation's transportation system by failing to make necessary investments in roads and bridges, limiting funding to State and local governments for highway safety, and repealing requirements that help ensure the safe handling of hazardous materials by railroads. The bill also fails to adequately improve transit safety in accordance with recommendations of the National Transportation Safety Board and legislation submitted by the Administration in December 2009.

H.R. 7 eliminates programs that ensure the Nation's metropolitan areas have sufficient resources to provide multiple transportation options to help reduce congestion. H.R. 7 also eliminates a thirty-year legacy of dedicated transit funding from the Highway Trust Fund. The bill allocates Federal funding for transit in a manner that undermines local decision making regarding the operation of local transit systems. This bill also reduces authorized funding levels for Amtrak and loosens the requirements on loan programs, putting taxpayer dollars at risk. In addition, the bill inappropriately targets funding towards systems that carry only a small number of the Nation's bus passengers. Finally, while the Administration appreciates that the bill does not contain earmarks, H.R. 7 eliminates funding for a number of discretionary grant programs, missing an opportunity to promote competition and innovation.

H.R. 7 would also significantly weaken environmental protections for transportation projects and undermine civic engagement in the decision-making process. The bill includes arbitrary timelines that deem an environmental and substantive review satisfactory regardless of a project's complexity and impact. The bill also limits judicial recourse of parties affected by transportation projects in a manner that undermines well-established judicial principles.

The Administration is committed to promoting safe and responsible domestic oil and gas production as part of a broad energy strategy that will protect consumers and reduce the Nation's dependence on foreign oil. Unfortunately, the bill includes pay-fors that open up pristine natural habitats not suitable for resource extraction and undermine prudent development of the Nation's oil and natural gas resources by opening the Arctic National Wildlife Refuge to industrial development, mandating lease sales in new offshore areas with no Secretarial discretion for determining which areas are appropriate and safe for such exploration and development, and preempting a Bureau of Land Management environmental impact statement on oil shale extraction. Further, this bill seeks to circumvent a longstanding process for determining whether cross-border pipelines are in the national interest by mandating the permitting of the Keystone XL pipeline project despite the fact that the pipeline route has yet to be identified and there is no complete assessment of its potential impacts, including impacts on health and safety, the economy, foreign policy, energy security, and the environment.

The Administration is committed to working on a bipartisan basis on a surface transportation reauthorization bill that provides the necessary funding to modernize the Nation's surface transportation infrastructure,

increase transportation options, maintain and create good paying jobs, and ensure lasting economic competitiveness. Because this bill jeopardizes safety, weakens environmental and labor protections, and fails to make the investments needed to strengthen the Nation's roads, bridges, rail, and transit systems, the President's senior advisors would recommend that he veto this legislation.

I yield 2 minutes to the gentleman from Texas (Mr. REYES).

Mr. REYES. Madam Speaker, I thank the gentleman for yielding. I'm reminded of the Broadway play "Chicago," when one of the acts is "razzle dazzle them." With all due respect to my colleagues on the other side of the aisle, all the razzle and all the dazzle is not working here. There are conflicts in terms of the offsets that are being used in trying to offset money both in this bill and in other legislations, and I think that that's indicative of the kinds of issues that are being brought before the floor here.

H.R. 7 takes \$44 billion out of the pockets of millions of middle class American workers over the next 10 years by slashing existing pension benefits and cutting employer retirement contributions for new, current, and retiring Federal workers. That's according to the Congressional Budget Office—again, new, current, and retiring Federal workers.

□ 1320

Over the weekend in my district, I heard from many Federal workers who are concerned about the kinds of proposals that are being brought forth to offset legislation by our colleagues on the other side of the aisle. The \$44 billion that I just talked about is in addition to \$60 billion that Federal workers are already contributing as a result of the existing 2-year pay freeze.

Although House Republicans would force Federal workers to contribute more than \$100 billion, given both proposals, toward deficit reduction—and now obviously transportation projects, and who knows how many times they're over-counting this—they have consistently refused to ask wealthy Americans to sacrifice even one penny toward these goals.

I am opposed to this H.R. 7, I'm opposed to this rule, and I ask my colleagues on the other side of the aisle to stop attacking Federal workers.

Mr. WEBSTER. Madam Speaker, I yield 1 minute to the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. I thank the gentleman for yielding.

I rise to engage the gentleman from Florida, the manager of the rule, in just a discussion if I could.

I don't have any problem with the rule—I don't think. The underlying legislation I've got a lot of difficulties with, which is why I filed or participated in the filing of many, many amendments, particularly on H.R. 7.

What causes me some angst is on page six, at the conclusion of section three of the rule, it indicates that after

general debate on H.R. 7 the Committee of the Whole will rise without motion and no further consideration of the bill shall be in order except pursuant to a subsequent order of the House. Now, I think that you can't go to passage without a subsequent rule and you can't do a variety of other things. But my concern is, as a conspiracy theorist in training, that that line could produce a result—you're asking for us to vote on the rule today, but could produce a result where you don't bring a subsequent rule dealing with the amendments.

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

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

Mr. LATOURETTE. It's fraught with difficulty because, out of these 240 amendments that are out there to H.R. 7, I may have a different view on your rule today unless there is some assurance you're going to produce a second rule that is somehow going to resemble an open rule on these remaining amendments.

I yield to the gentleman for whatever response you choose to make.

Mr. WEBSTER. I thank the gentleman for yielding.

I would tell you this, I'm only here as the manager of this rule. No other position do I espouse or claim. However, I can tell you over my dead body the Rules Committee will not go forward unless we have reviewed those amendments and come back with a second edition that would allow for all of the things that you said in that particular statement out of that page.

Mr. LATOURETTE. Well, the gentleman is an honorable Member and I'm going to go with that, but I want the concern to be mentioned.

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

This gets more and more interesting. I share the gentleman from Ohio's concern, especially in light of the fact that the Rules Committee canceled their meeting today at 2 o'clock that was scheduled to go over all these amendments.

We have no idea what's going on. My guess is the leadership on their side has no idea what's going on. This process is so convoluted and it lacks transparency. I, quite frankly, think my colleagues should be ashamed of bringing this kind of a bill under this kind of process to the floor.

At this time, I yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY), the ranking member of the Committee on Natural Resources.

Mr. MARKEY. I thank the gentleman.

So last year the oil industry made \$137 billion in the United States. This year, of course, heading to \$5 a gallon gasoline. They're tipping American drivers upside-down so fast that they'll probably make \$200 billion.

They've got to raise about another \$40 billion to pay for this transpor-

tation bill. They could take away the \$4 billion in tax breaks each year over 10 years, \$40 billion that they give to ExxonMobil. They really don't need that money. The taxpayers shouldn't have to pay twice, once at the pump and then once as taxpayers. So they could have solved all of this just by taking away the oil tax breaks.

But here's what they do: They say, one, we can drill for shale in Colorado and Wyoming. And we know that Shell Oil and the Department of Interior say that there is no commercially available technology. Two, they can drill in the Arctic refuge, but we know that there are no votes in the Senate to make it possible for that to happen. And three, their next proposal is to drill off of the beaches of California and Florida for oil—off the beaches. The Republicans are lining up themselves in these States to say I want to make the amendment to make sure we don't do that.

So, none of this is going to happen in terms of the revenues that they say they're going to generate. These are phantom revenues from phantom drilling that's never going to happen.

Moreover, they want to export the natural gas out of our country. Well, let me tell you what T. Boone Pickens says about this. This is what T. Boone Pickens says about exporting U.S. natural gas:

If we do it, we're truly going to go down as America's dumbest generation.

It's bad public policy to export natural gas. Why is that? Because natural gas in the United States is six times cheaper than in Asia, it's three times cheaper than in Europe. That's why our agriculture is doing so well, that's why manufacturing is coming back. The cost of a unit of production of any product in terms of the energy which is needed has plummeted. That's our advantage in coming out of the recession.

Finally, on the Keystone pipeline, why don't we keep the oil here in the United States? The Canadians want to take the oil, build a pipeline through the United States over our environmentally sensitive areas, bring it to Port Arthur, Texas, an export zone, and then send the oil to Asia and Latin America. Where's the American part of this? What do we get out of the Keystone pipeline? Nothing.

So I will have an amendment that says, if we build that pipeline—if we let the Canadians—that we keep the oil here in the United States because the oil should stay in the United States, the natural gas should stay in the United States. We shouldn't be pretending that we're going to be raising the revenues from these other places where they are just phantom revenues from phantom drilling, which is never going to happen.

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

Mr. MCGOVERN. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. One hundred sixty days ago, the President of the United States came to this Chamber and put forward a plan to create jobs for our country. One of the ideas that he had to create jobs for our country was to put our construction workers back to work building schools and fixing roads and bridges so they could have money to spend in stores and restaurants and help the country. For 160 days, the majority ignored this idea. Now what they've done is brought this idea to the floor that is doomed for failure and won't work.

In the other body, Republicans and Democrats worked together and 80 Members have voted for a bill that in fact would put construction workers back to work, they're cooperating on it, and I think it has a great chance to pass and be signed by the President. But consistent with their principle that consensus is always to be avoided, the majority over here did something else. The "something else" is a bill that will actually kill jobs in the United States, and we should not support it.

But the way they did it I think merits some mention. Many on the other side were outraged when they thought the health care bill was going to be brought up when no one had read it and it wasn't going to be a straight up-or-down vote. What in fact happened was the health care bill was available to the public and the Members for 7 weeks—every word of it—and there was a direct up-or-down vote.

What we have here is a bill that's 1,000 pages long that almost no one has read and a procedure that avoids having an up-or-down vote on the bill. If you thought it was wrong in March of 2010—and it would have been, which is why we didn't do it—then it's wrong now. We should oppose the rule, oppose the bill, and work together to put Americans back to work.

The SPEAKER pro tempore. The gentleman from Florida is recognized and is advised that he has 6 minutes remaining. The gentleman from Massachusetts has 4 minutes remaining.

Mr. WEBSTER. Madam Speaker, I would only remind the Members that there is nothing that leaves this Chamber without an up-or-down vote.

I reserve the balance of my time.

□ 1330

Mr. MCGOVERN. I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Madam Speaker, I take modest exception to my good friend from Florida. There will be no up-or-down vote on this package.

Now, service in Congress is often a roller coaster with highs and lows. Well, I've had highs and lows in my service in Congress, but this is one of the worst moments of the last 15 years.

At a time when our communities and our economy need us to rebuild and

renew America, we are faced with the worst transportation bill in history, ever. It is so bad that the majority party did not even have a hearing on any of the three pieces that they've broken the transportation package into. It reverses 20 years of bipartisan transportation reform. It eliminates a 30-year commitment for transit and road funding certainty that comes from the Reagan administration, it's out the window.

It is so bad that they aren't going to allow an up-or-down vote. The strategy they have is to have the pieces dealt with individually, and then, when they're done, if they somehow pass, and I hope they don't, then it's deemed passed.

Now, what's really sad is that this is not just a partisan bill; it's a bad partisan bill. Like my friend from Massachusetts, I served on the Transportation and Infrastructure Committee for 12 years, and most of that time, Republicans were in charge. But we never, ever had behavior like this—shutting people out, shutting down the process, not involving the public, and moving in the wrong direction.

It shatters a bipartisan coalition that I've been working on for years to develop support for resources and good policy. It's even so bad they get rid of the wildly popular Safe Routes to School program.

It's not worthy of the proud tradition of the T&I Committee or, for that matter, even the Rules Committee. It should be rejected.

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

Mr. MCGOVERN. Madam Speaker, I yield 30 seconds to the gentleman from Texas (Ms. JACKSON LEE.)

Ms. JACKSON LEE of Texas. Boone Pickens is right; It makes no sense to export our natural gas when manufacturing is coming back.

I join with Mr. LATOURETTE for an open rule. This is not a comprehensive rule and, as well, there's no oversight and regulation, and that means no environmental oversight. Minority contracting needs to be in place.

And if you want to do something, look at H.R. 3710, my deficit reduction, job creation, energy security bill. This is a bill that needs to go back to the drawing board and really do, as the President said, an infrastructure bill that will help all Americans, be paid for, and not take pensions off the backs of Federal employees.

With that, Madam Speaker, I ask for a "no" vote on the rule.

Mr. WEBSTER. Madam Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I wasn't going to speak on the rule, but I heard my colleague from Oregon stand up and criticize the bill, criticize the process, and I needed to set the record straight.

This bill is the first bill that has come out of the committee on a partisan-line vote, but it's not because of Republicans. It's because Democrats refused to participate in the process.

When they were in the majority, Chairman Oberstar brought a bill to the committee and we unanimously supported it. There was a lot of stuff in there we didn't like, but we wanted to do it on a bipartisan basis, try to correct some of the problems. But we were unable to even move that bill to the floor because the majority, the Democrat majority, wouldn't even put that bill on the floor.

So it's not that Republicans didn't reach out to our colleagues across the aisle. We did. Chairman MICA and many members of the committee traveled the United States, had bipartisan hearings, had a bicameral hearing in California with Senator BOXER. So we reached out and reached out and reached out.

And the Democrats typically want to work together on the T&I Committee. I don't know; maybe their leadership told them they weren't allowed to work with us on this. But this bill is the biggest reform bill that's happened in the transportation industry, in transportation in this country since its inception of the highway trust fund in the 1950s.

We are consolidating programs that overlap and today are outmoded, so we've consolidated, eliminated some. We're compressing the timelines. Most Americans don't realize that it takes, on average, 13 to 15 years to build a highway in this country. We're compressing that to 7 to 8 years. We're going to have more roads built in this country because we are taking the reforms that are necessary.

This has gone on for far too long, and I'm really disappointed that my Democratic colleagues, all they want to do is raise taxes. They want to increase the regulation instead of making government work better, more efficiently, and get those dollars out there quicker that our communities need.

So I believe this is a significantly improved transportation bill than what we've seen at least 2 years ago, and it's something that I support wholeheartedly and would encourage my Democratic colleagues to take a close look and support it also.

Mr. MCGOVERN. Madam Speaker, I yield 30 seconds to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

I rise in opposition to the rule. I like some of the reforms in this bill. There are some reforms that have been overdue and are necessary.

The problem I have is that if this rule waives all points of order against the bill, the bill as I understand it—and nobody can inform me otherwise—is that it violates the Ryan budget, or the so-called House budget, that we passed. We don't know how much. It could be tens of billions, could be just under that, but it seems to violate the budget that we passed. That's why we're having to waive all points of order against the bill, and for that I voice my opposition for the rule.

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

Mr. MCGOVERN. Madam Speaker, may I inquire from the gentleman how many more speakers he has left, because we have a lot. We ran out of time, so I'm the last speaker.

Mr. WEBSTER. Madam Speaker, I am prepared to close.

The SPEAKER pro tempore. The gentleman from Massachusetts has 1½ minutes remaining. The gentleman from Florida has 4 minutes remaining.

Mr. MCGOVERN. Madam Speaker, I yield myself the remaining time.

Madam Speaker, this bill is awful, this process is awful, and I think it's beyond salvageable. I just want to talk about one thing in closing.

Madam Speaker, oil companies get taxpayer subsidies for oil injection, extraction, drilling, manufacturing, pricing, and inventory floors. They get taxpayer subsidies, while making tens of billions of dollars in record profits, and taxpayers continue to get fleeced with rising gas prices.

At the end of this debate, I will try to defeat the previous question. If the previous question is defeated, I will offer an amendment to eliminate one of these subsidies for the Big Five oil companies. The Big Five oil companies do not need, they do not deserve this subsidy, and the American people don't deserve these rising gas prices.

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

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

There was no objection.

Mr. MCGOVERN. Madam Speaker, this is a reasonable amendment. The American people are tired of getting gouged at the pump by these big oil companies that are making record profits and, at the same time, we continue with taxpayer subsidies to give them these handouts. Enough is enough.

I urge my colleagues to vote "no" and defeat the previous question. I urge a "no" vote on the rule, and I yield back the balance of my time.

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

Improvements to our infrastructure are waiting. Stable construction jobs are waiting. Unemployment lingers above 8 percent nationally and near 10 percent in central Florida.

A long-term reauthorization is necessary, not just another short-term extension like we have become so used to in this body. It streamlines and consolidates Federal transportation programs, cuts red tape and Washington bureaucracy, increases funding flexibility to the States and local government, better leverages existing infrastructure resources, and encourages more private sector participation in building our Nation's decaying infrastructure. It provides 5 years of certainty and stability with flat funding that is paid for without raising taxes.

The American Energy and Infrastructure Act is long overdue. We can't delay anymore. It's time to stop putting off until tomorrow what we should have done yesterday.

This bill eliminates the typical cookie-cutter approach that Washington has used over and over again to fund all kinds of programs, including transportation. This is a great policy that consolidates many programs, that allows States the flexibility to build their own programs. It allows local communities and NPOs to design a program of transportation that fits their needs.

□ 1340

It can only be done when we consolidate these programs and make the reforms found in this bill. I ask my colleagues to join me in voting in favor of this rule.

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

AN AMENDMENT TO H. RES. 547 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

(1) The amendment in section 2, to be offered by Mr. McGovern of Massachusetts or his designee, debatable for 10 minutes, is considered to have been printed at the end of part A of the report of the Committee on Rules accompanying H. Res. 547.

(2) The amendment referred to in section 1 is as follows:

Strike all after the enacting clause and insert the following:

**SEC. 1. DEDUCTION FOR INCOME ATTRIBUTABLE TO DOMESTIC PRODUCTION ACTIVITIES NOT ALLOWED WITH RESPECT TO OIL AND GAS ACTIVITIES OF MAJOR INTEGRATED OIL COMPANIES.**

(a) IN GENERAL.—Subparagraph (A) of section 199(d)(9) of the Internal Revenue Code of 1986 is amended by inserting "(9 percent in the case of any major integrated oil company (as defined in section 167(h)(5)))" after "3 percent".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after the date of the enactment of this Act.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party of-

ferred a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

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

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

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

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 547, if ordered, and motions to suspend the rules on H.R. 2079, H.R. 3247, and H.R. 3248.

The vote was taken by electronic device, and there were—yeas 229, nays 181, not voting 23, as follows:

[Roll No. 50]

YEAS—229

Adams	Goodlatte	Nunes
Aderholt	Gosar	Nunnelee
Akin	Gowdy	Olson
Alexander	Granger	Palazzo
Amash	Graves (GA)	Paulsen
Amodei	Graves (MO)	Pearce
Austria	Griffin (AR)	Pence
Bachmann	Griffith (VA)	Petri
Bachus	Grimm	Platts
Barletta	Guthrie	Poe (TX)
Bartlett	Hall	Pompeo
Barton (TX)	Hanna	Posey
Bass (NH)	Harper	Price (GA)
Benishek	Harris	Quayle
Berg	Hastings (WA)	Reed
Biggert	Hayworth	Rehberg
Billray	Heck	Reichert
Bilirakis	Hensarling	Ribble
Bishop (UT)	Hergert	Rigell
Black	Herrera Beutler	Rivera
Bonner	Huelskamp	Roby
Bono Mack	Huizenga (MI)	Roe (TN)
Boren	Hultgren	Rogers (AL)
Boustany	Hunter	Rogers (KY)
Brady (TX)	Hurt	Rogers (MI)
Brooks	Issa	Rohrabacher
Broun (GA)	Jenkins	Rokita
Buchanan	Johnson (OH)	Rooney
Bucshon	Johnson, Sam	Ros-Lehtinen
Buerkle	Jones	Roskam
Burgess	Jordan	Ross (FL)
Burton (IN)	Kelly	Royce
Calvert	King (IA)	Runyan
Camp	King (NY)	Ryan (WI)
Cantor	Kingston	Scalise
Carter	Kinzinger (IL)	Schilling
Cassidy	Kline	Schmidt
Chabot	Labrador	Schock
Chaffetz	Lamborn	Schweikert
Coble	Lance	Scott (SC)
Coffman (CO)	Landry	Scott, Austin
Cole	Lankford	Sensenbrenner
Conaway	Latham	Sessions
Cravaack	LaTourette	Shimkus
Crawford	Latta	Shuster
Crenshaw	Lewis (CA)	Simpson
Culberson	LoBiondo	Smith (NE)
Davis (KY)	Long	Smith (NJ)
Denham	Lucas	Smith (TX)
Dent	Lummis	Southerland
DesJarlais	Lungren, Daniel	Stearns
Dold	E.	Stivers
Dreier	Mack	Stutzman
Duncan (SC)	Manzullo	Sullivan
Duncan (TN)	Marchant	Terry
Ellmers	Marino	Thompson (PA)
Emerson	Matheson	Thornberry
Farenthold	McCarthy (CA)	Tiberi
Fincher	McCaul	Tipton
Fitzpatrick	McClintock	Turner (NY)
Flake	McCotter	Turner (OH)
Fleischmann	McHenry	Upton
Fleming	McKeon	Walberg
Flores	McKinley	Walden
Forbes	McMorris	Walsh (IL)
Fortenberry	Rodgers	Webster
Fox	Meehan	West
Franks (AZ)	Mica	Westmoreland
Frelinghuysen	Miller (FL)	Whitfield
Gallely	Miller (MI)	Wilson (SC)
Gardner	Miller, Gary	Wittman
Garrett	Mulvaney	Wolf
Gerlach	Murphy (PA)	Womack
Gibbs	Myrick	Woodall
Gibson	Neugebauer	Yoder
Gingrey (GA)	Noem	Young (AK)
Gohmert	Nugent	Young (IN)

NAYS—181

Ackerman	Butterfield	Conyers
Altmire	Capps	Cooper
Andrews	Capuano	Costa
Baca	Carnahan	Costello
Baldwin	Carney	Courtney
Barrow	Carson (IN)	Critz
Bass (CA)	Castor (FL)	Crowley
Berkley	Chandler	Cuellar
Berman	Chu	Cummings
Bishop (GA)	Ciilline	Davis (CA)
Bishop (NY)	Clarke (MI)	Davis (IL)
Blumenauer	Clarke (NY)	DeFazio
Bonamici	Clay	DeGette
Boswell	Cleaver	DeLauro
Brady (PA)	Clyburn	Deutch
Braley (IA)	Cohen	Dicks
Brown (FL)	Connolly (VA)	Dingell

Donnelly (IN)	Larsen (WA)	Ross (AR)
Doyle	Larson (CT)	Rothman (NJ)
Edwards	Lee (CA)	Roybal-Allard
Ellison	Levin	Ruppelberger
Engel	Lewis (GA)	Rush
Eshoo	Lipinski	Ryan (OH)
Farr	Loebback	Sánchez, Linda
Fattah	Lofgren, Zoe	T.
Finer	Lowey	Sanchez, Loretta
Frank (MA)	Lujan	Sarbanes
Fudge	Lynch	Schakowsky
Garamendi	Maloney	Schiff
Gonzalez	Markey	Schrader
Green, Al	Matsui	Schwartz
Green, Gene	McCarthy (NY)	Scott (VA)
Grijalva	McCollum	Scott, David
Gutierrez	McDermott	Sewell
Hahn	McGovern	Sherman
Hanabusa	McIntyre	Shuler
Hastings (FL)	McNerney	Sires
Heinrich	Meeks	Slaughter
Higgins	Michaud	Smith (WA)
Himes	Miller (NC)	Speier
Hincheey	Miller, George	Stark
Hinojosa	Moran	Sutton
Hirono	Murphy (CT)	Thompson (CA)
Hochul	Nadler	Thompson (MS)
Holden	Napolitano	Tierney
Holdt	Neal	Tonko
Honda	Olver	Towns
Hoyer	Owens	Tsongas
Inslee	Pascrell	Van Hollen
Israel	Pastor (AZ)	Velázquez
Jackson (IL)	Pelosi	Visclosky
Jackson Lee	Perlmutter	Walz (MN)
(TX)	Peters	Wasserman
Johnson (GA)	Peterson	Schultz
Johnson, E. B.	Price (ME)	Waters
Kaptur	Polis	Watt
Keating	Price (NC)	Waxman
Kildee	Quigley	Welch
Kind	Rahall	Wilson (FL)
Kissell	Reyes	Yarmuth
Kucinich	Richardson	
Langevin	Richmond	

NOT VOTING—23

Becerra	Duffy	Payne
Blackburn	Guinta	Pitts
Campbell	Hartzler	Rangel
Canseco	Johnson (IL)	Renacci
Capito	Luetkemeyer	Serrano
Cardoza	Moore	Woolsey
Diaz-Balart	Pallone	Young (FL)
Doggett	Paul	

□ 1406

Mr. CROWLEY, Ms. WATERS, and Messrs. CUELLAR and MEEKS changed their vote from “yea” to “nay.”

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

Stated against:

Mr. PALLONE. Mr. Speaker, on rollcall No. 50 I was at an important hearing of the Health Subcommittee. Had I been present, I would have voted “nay.”

Ms. WOOLSEY. Mr. Speaker, on February 15, 2012, I was unavoidably detained and was unable to record my vote for rollcall No. 50. Had I been present I would have voted: rollcall No. 50: “nay”—On Ordering the Previous Question.

The SPEAKER pro tempore (Mr. POE of Texas). The question is on the resolution.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 235, noes 186, not voting 12, as follows:

[Roll No. 51]

AYES—235

Aderholt	Goodlatte	Nugent
Akin	Gosar	Nunes
Alexander	Gowdy	Nunnelee
Amash	Granger	Olson
Amodei	Graves (GA)	Palazzo
Austria	Graves (MO)	Paulsen
Bachmann	Griffin (AR)	Pearce
Bachus	Griffith (VA)	Pence
Barletta	Grimm	Peterson
Bartlett	Guthrie	Petri
Barton (TX)	Hall	Pitts
Bass (NH)	Hanna	Platts
Benishek	Harper	Poe (TX)
Berg	Harris	Pompeo
Biggert	Hartzler	Posey
Billray	Hastings (WA)	Price (GA)
Bilirakis	Hayworth	Quayle
Bishop (UT)	Heck	Reed
Black	Hensarling	Rehberg
Blackburn	Hergert	Reichert
Bonner	Herrera Beutler	Renacci
Bono Mack	Huelskamp	Ribble
Boustany	Huizenga (MI)	Rigell
Brady (TX)	Hultgren	Rivera
Brooks	Hunter	Roby
Broun (GA)	Hurt	Roe (TN)
Buchanan	Issa	Rogers (AL)
Bucshon	Jenkins	Rogers (KY)
Buerkle	Johnson (OH)	Rogers (MI)
Burgess	Johnson, Sam	Rohrabacher
Burton (IN)	Jones	Rokita
Calvert	Jordan	Rooney
Camp	Kelly	Ros-Lehtinen
Canseco	King (IA)	Roskam
Cantor	King (NY)	Royce
Capito	Kingston	Runyan
Carter	Kinzinger (IL)	Ryan (WI)
Cassidy	Kissell	Scalise
Chabot	Kline	Schilling
Chaffetz	Labrador	Schmidt
Coble	Lamborn	Schock
Coffman (CO)	Lance	Schweikert
Cole	Landry	Scott (SC)
Conaway	Lankford	Scott, Austin
Cravaack	Latham	Sensenbrenner
Crawford	LaTourette	Sessions
Crenshaw	Latta	Shimkus
Culberson	Lewis (CA)	Shuster
Davis (KY)	LoBiondo	Simpson
Denham	Long	Smith (NE)
Dent	Lucas	Smith (NJ)
DesJarlais	Luetkemeyer	Smith (TX)
Diaz-Balart	Lummis	Southerland
Dold	Lungren, Daniel	Stearns
Dreier	E.	Stivers
Duffy	Mack	Stutzman
Duncan (SC)	Manzullo	Sullivan
Duncan (TN)	Marchant	Terry
Ellmers	Marino	Thompson (PA)
Emerson	Matheson	Thornberry
Farenthold	McCarthy (CA)	Tiberi
Fincher	McCaul	Tipton
Fitzpatrick	McClintock	Turner (NY)
Fleischmann	McCotter	Turner (OH)
Fleming	McHenry	Upton
Flores	McKeon	Walberg
Forbes	McKinley	Walden
Fortenberry	McMorris	Walsh (IL)
Fox	Rodgers	Webster
Franks (AZ)	Meehan	West
Frelinghuysen	Mica	Westmoreland
Gallely	Miller (FL)	Whitfield
Gardner	Miller (MI)	Wilson (SC)
Garrett	Miller, Gary	Wittman
Gerlach	Mulvaney	Womack
Gibbs	Murphy (PA)	Woodall
Gibson	Myrick	Yoder
Gingrey (GA)	Neugebauer	Young (AK)
Gohmert	Noem	Young (IN)

NOES—186

Ackerman	Boswell	Clarke (MI)
Adams	Brady (IA)	Clarke (NY)
Altmire	Braley (IA)	Clay
Andrews	Brown (FL)	Cleaver
Baca	Butterfield	Clyburn
Baldwin	Capps	Cohen
Barrow	Capuano	Connolly (VA)
Bass (CA)	Cardoza	Conyers
Berkley	Carnahan	Cooper
Berman	Carney	Costa
Bishop (GA)	Carson (IN)	Costello
Bishop (NY)	Castor (FL)	Courtney
Blumenauer	Chandler	Critz
Bonamici	Chu	Crowley
Boren	Ciilline	Cuellar

Cummings	Kaptur	Reyes	Bachus	Duffy	Kinzinger (IL)	Price (NC)	Schakowsky	Thornberry
Davis (CA)	Keating	Richardson	Baldwin	Duncan (SC)	Kissell	Quayle	Schiff	Tiberi
Davis (IL)	Kildee	Richmond	Barletta	Duncan (TN)	Kline	Quigley	Schilling	Tierney
DeFazio	Kind	Ross (AR)	Barrow	Edwards	Kucinich	Rahall	Schmidt	Tipton
DeGette	Kucinich	Ross (FL)	Bartlett	Ellison	Labrador	Reed	Schock	Tonko
DeLauro	Langevin	Rothman (NJ)	Barton (TX)	Ellmers	Lamborn	Rehberg	Schrader	Towns
Deutch	Larsen (WA)	Roybal-Allard	Bass (CA)	Emerson	Lance	Reichert	Schwartz	Tsongas
Dicks	Larson (CT)	Ruppersberger	Bass (NH)	Engel	Landry	Renacci	Schweikert	Turner (NY)
Dingell	Lee (CA)	Rush	Benishek	Eshoo	Langevin	Reyes	Scott (SC)	Turner (OH)
Donnelly (IN)	Levin	Ryan (OH)	Berg	Farr	Lankford	Ribble	Scott (VA)	Upton
Doyle	Lewis (GA)	Sánchez, Linda	Berkley	Farr	Larsen (WA)	Richardson	Scott, Austin	Van Hollen
Edwards	Lipinski	T.	Berman	Fattah	Larson (CT)	Richmond	Scott, David	Velázquez
Ellison	Loeb sack	Sanchez, Loretta	Biggert	Fincher	Latham	Rivera	Sensenbrenner	Visclosky
Engel	Lofgren, Zoe	Sarbanes	Bilbray	Fitzpatrick	LaTourette	Roby	Sessions	Walberg
Eshoo	Lowe y	Schakowsky	Bilirakis	Flake	Latta	Roe (TN)	Sewell	Walden
Farr	Lujan	Schiff	Bishop (GA)	Fleischmann	Lee (CA)	Rogers (AL)	Sherman	Walsh (IL)
Fattah	Lynch	Schrader	Bishop (NY)	Fleming	Levin	Rogers (KY)	Shimkus	Walz (MN)
Filner	Maloney	Schwartz	Bishop (UT)	Flores	Lewis (CA)	Rogers (MI)	Shuler	Wasserman
Flake	Markey	Scott (VA)	Black	Forbes	Lewis (GA)	Rohrabacher	Shuster	Schultz
Frank (MA)	Matsui	Scott, David	Blackburn	Fortenberry	Lipinski	Rokita	Simpson	Waters
Fudge	McCarthy (NY)	Sewell	Blumenauer	Fox x	LoBiondo	Rooney	Sires	Watt
Garamendi	McCollum	Sherman	Bonamici	Frank (MA)	Loeb sack	Ros-Lehtinen	Slaughter	Waxman
Gonzalez	McDermott	Shuler	Bonner	Franks (AZ)	Lofgren, Zoe	Roskam	Smith (NE)	Webster
Green, Al	McGovern	Sires	Bono Mack	Frelinghuysen	Long	Ross (AR)	Smith (NJ)	Welch
Green, Gene	McIntyre	Slaughter	Boren	Fudge	Lowey	Ross (FL)	Smith (TX)	West
Grijalva	McNerney	Smith (WA)	Boswell	Gallegly	Lucas	Rothman (NJ)	Smith (WA)	Westmoreland
Gutierrez	Meeks	Speier	Bostany	Garamendi	Luetkemeyer	Roybal-Allard	Southerland	Whitfield
Hahn	Michaud	Stark	Brady (PA)	Gardner	Lujan	Royce	Speier	Wilson (FL)
Hanabusa	Miller (NC)	Sutton	Brady (TX)	Garrett	Lummis	Runyan	Stark	Wilson (SC)
Hastings (FL)	Miller, George	Thompson (CA)	Braley (IA)	Gerlach	Lungren, Daniel	Ruppersberger	Stearns	Wittman
Heinrich	Moran	Thompson (MS)	Brooks	Gibbs	E.	Rush	Stivers	Wolf
Higgins	Murphy (CT)	Tierney	Broun (GA)	Gibson	Lynch	Ryan (OH)	Stutzman	Womack
Himes	Nadler	Tonko	Brown (FL)	Gingrey (GA)	Mack	Ryan (WI)	Sullivan	Woodall
Hinche y	Napolitano	Towns	Buchanan	Gohmert	Maloney	Sánchez, Linda	Sutton	Woolsey
Hinojosa	Neal	Tsongas	Bucshon	Gonzalez	Manzullo	T.	Terry	Yarmuth
Hirono	Olver	Van Hollen	Buerkle	Goodlatte	Marchant	Sanchez, Loretta	Thompson (CA)	Yoder
Hochul	Owens	Velázquez	Burgess	Marino	Marchant	Sarbanes	Thompson (MA)	Young (AK)
Holden	Pallone	Visclosky	Burton (IN)	Gowdy	Marino	Scalise	Thompson (PA)	Young (IN)
Holt	Pascrell	Walz (MN)	Butterfield	Granger	Markey			
Honda	Pastor (AZ)	Wasserman	Calvert	Graves (GA)	Matheson			
Hoyer	Pelosi	Schultz	Camp	Graves (MO)	Matsui	Harris		
Inslee	Perlmutter	Watt	Canseco	Green, Al	McCarthy (CA)		Rigell	
Israel	Peters	Waxman	Cantor	Green, Gene	McCarthy (NY)			
Jackson (IL)	Pingree (ME)	Welch	Capito	Griffin (AR)	McCaul			
Jackson Lee	Polis	Wilson (FL)	Capps	Griffith (VA)	McClintock	Becerra	Johnson (IL)	Rangel
(TX)	Price (NC)	Wolf	Capuano	Grijalva	McCollum	Campbell	Moore	Serrano
Johnson (GA)	Quigley	Woolsey	Cardoza	Grimm	McCotter	Doggett	Palazzo	Young (FL)
Johnson, E. B.	Rahall	Yarmuth	Carnahan	Guthrie	McDermott	Filner	Paul	
			Carney	Gutierrez	McGovern	Guinta	Payne	
			Carson (IN)	Hahn	McHenry			
			Carter	Hall	McIntyre			
			Cassidy	Hanabusa	McKeon			
			Castor (FL)	Hanna	McKinley			
			Chabot	Harper	McMorris			
			Chaffetz	Hartzler	Rodgers			
			Chandler	Hastings (FL)	McNerney			
			Chu	Hastings (WA)	Meehan			
			Cicilline	Hayworth	Meeks			
			Clarke (MI)	Heck	Mica			
			Clarke (NY)	Heinrich	Michaud			
			Clay	Hensarling	Miller (FL)			
			Cleaver	Herger	Miller (MI)			
			Clyburn	Herrera Beutler	Miller (NC)			
			Coble	Higgins	Miller, Gary			
			Coffman (CO)	Himes	Miller, George			
			Cohen	Hinche y	Moran			
			Cole	Hinojosa	Mulvaney			
			Conaway	Hirono	Murphy (CT)			
			Connolly (VA)	Hochul	Murphy (PA)			
			Conyers	Holden	Myrick			
			Costa	Holt	Nadler			
			Costello	Honda	Napolitano			
			Courtney	Hoyer	Neal			
			Craavaack	Huelskamp	Neugebauer			
			Crawford	Huizenga (MI)	Noem			
			Crenshaw	Hultgren	Nugent			
			Critz	Hunter	Nunes			
			Crowley	Hurt	Nunnelee			
			Cuellar	Inslee	Olson			
			Culberson	Israel	Olver			
			Cummings	Issa	Owens			
			Davis (CA)	Jackson (IL)	Pallone			
			Davis (IL)	Jackson Lee	Pascrell			
			Davis (KY)	(TX)	Pastor (AZ)			
			DeFazio	Jenkins	Paulsen			
			DeGette	Johnson (GA)	Pearce			
			DeLauro	Johnson (OH)	Pelosi			
			Denham	Johnson, E. B.	Pence			
			Dent	Johnson, Sam	Perlmutter			
			DesJarlais	Jones	Peters			
			Deutch	Jordan	Peterson			
			Diaz-Balart	Kaptur	Petri			
			Dicks	Keating	Pingree (ME)			
			Dingell	Kelly	Pitts			
			Dold	Kildee	Platts			
			Donnelly (IN)	Kind	Poe (TX)			
			Doyle	King (IA)	Polis			
			Dreier	King (NY)	Pompeo			
				Kingston	Posey			
					Price (GA)			

## NOT VOTING—12

Becerra	Johnson (IL)	Rangel
Campbell	Moore	Serrano
Doggett	Paul	Waters
Guinta	Payne	Young (FL)

□ 1415

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.

## JOHN J. COOK POST OFFICE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2079) to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the “John J. Cook Post Office,” on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. KELLY) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 2, not voting 13, as follows:

[Roll No. 52]

YEAS—418

Ackerman	Alexander	Andrews
Adams	Altmire	Austria
Aderholt	Amash	Baca
Akin	Amodei	Bachmann

## NAYS—2

Harris Rigell

## NOT VOTING—13

Becerra	Johnson (IL)	Rangel
Campbell	Moore	Serrano
Doggett	Palazzo	Young (FL)
Filner	Paul	
Guinta	Payne	

□ 1422

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

So (two-thirds being in the affirmative) the rules were suspended and the bill 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 No. 52, I was unavoidably detained. Had I been present, I would have voted “yea.”

## LANCER CORPORAL MATTHEW P. PATHENOS POST OFFICE BUILDING

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3247) to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the “Lance Corporal Matthew P. Pathenos Post Office Building,” on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. KELLY) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 14, as follows:

[Roll No. 53]

YEAS—419

Ackerman  
 Adams  
 Aderholt  
 Akin  
 Alexander  
 Altmire  
 Dent  
 DesJarlais  
 Deutch  
 Amodel  
 Andrews  
 Austria  
 Baca  
 Bachmann  
 Bachus  
 Baldwin  
 Barletta  
 Barrow  
 Bartlett  
 Barton (TX)  
 Bass (CA)  
 Bass (NH)  
 Benishek  
 Berg  
 Berkley  
 Berman  
 Biggert  
 Bilbray  
 Bilirakis  
 Bishop (GA)  
 Bishop (NY)  
 Bishop (UT)  
 Black  
 Blackburn  
 Blumenauer  
 Bonamici  
 Bonner  
 Bono Mack  
 Boren  
 Boswell  
 Boustany  
 Brady (PA)  
 Brady (TX)  
 Braley (IA)  
 Brooks  
 Broun (GA)  
 Brown (FL)  
 Buchanan  
 Bueshon  
 Buerkle  
 Burgess  
 Burton (IN)  
 Butterfield  
 Calvert  
 Camp  
 Canseco  
 Cantor  
 Capito  
 Capps  
 Capuano  
 Cardoza  
 Carnahan  
 Carney  
 Carson (IN)  
 Carter  
 Cassidy  
 Castor (FL)  
 Chabot  
 Chaffetz  
 Chandler  
 Chu  
 Cicilline  
 Clarke (MI)  
 Clarke (NY)  
 Clay  
 Cleaver  
 Clyburn  
 Coble  
 Coffman (CO)  
 Cohen  
 Cole  
 Conaway  
 Connolly (VA)  
 Conyers  
 Cooper  
 Costa  
 Costello  
 Courtney  
 Cravaack  
 Crawford  
 Crenshaw  
 Critz  
 Crowley  
 Cuellar  
 Culberson  
 Cummings  
 Davis (CA)  
 Davis (IL)

Davis (KY)  
 DeFazio  
 DeGette  
 DeLauro  
 Denham  
 Johnson (OH)  
 Johnson, E. B.  
 Johnson, Sam  
 Jones  
 Jordan  
 Kaptur  
 Keating  
 Kelly  
 Kildee  
 Kind  
 King (IA)  
 King (NY)  
 Kingston  
 Kinzinger (IL)  
 Edwards  
 Ellison  
 Kline  
 Kucinich  
 Labrador  
 Lamborn  
 Engel  
 Eshoo  
 Farenthold  
 Landry  
 Langevin  
 Lankford  
 Reyes  
 Ribble  
 Richardson  
 Richmond  
 Rigell  
 Rivera  
 Latta  
 Lee (CA)  
 Levin  
 Lewis (CA)  
 Lewis (GA)  
 Lipinski  
 LoBiondo  
 Loebsack  
 Lofgren, Zoe  
 Long  
 Lowey  
 Lucas  
 Luetkemeyer  
 Lujan  
 Lummis  
 Lungren, Daniel  
 E.  
 Lynch  
 Mack  
 Maloney  
 Manzullo  
 Marchant  
 Marino  
 Markey  
 Matheson  
 Matsui  
 McCarthy (CA)  
 McCarthy (NY)  
 McCaul  
 McClintock  
 McCollum  
 McCotter  
 McDermott  
 McGovern  
 McHenry  
 McIntyre  
 McKeon  
 McKinley  
 McMorris  
 Rodgers  
 McNeerney  
 Meehan  
 Meeks  
 Mica  
 Michaud  
 Miller (FL)  
 Miller (MI)  
 Miller (NC)  
 Miller, Gary  
 Miller, George  
 Moran  
 Mulvaney  
 Murphy (CT)  
 Murphy (PA)  
 Myrick  
 Nadler  
 Napolitano  
 Neal  
 Neugebauer  
 Noem  
 Nugent  
 Nunes  
 Nunnelee  
 Olson  
 Oliver

Jackson Lee  
 (TX)  
 Jenkins  
 Johnson (GA)  
 Johnson (OH)  
 Johnson, E. B.  
 Johnson, Sam  
 Jones  
 Jordan  
 Kaptur  
 Keating  
 Kelly  
 Kildee  
 Kind  
 King (IA)  
 King (NY)  
 Kingston  
 Kinzinger (IL)  
 Kissell  
 Kline  
 Kucinich  
 Labrador  
 Lamborn  
 Lance  
 Landry  
 Langevin  
 Lankford  
 Larsen (WA)  
 Larson (CT)  
 Latham  
 LaTourrette  
 Latta  
 Lee (CA)  
 Levin  
 Lewis (CA)  
 Lewis (GA)  
 Lipinski  
 LoBiondo  
 Loebsack  
 Lofgren, Zoe  
 Long  
 Lowey  
 Lucas  
 Luetkemeyer  
 Lujan  
 Lummis  
 Lungren, Daniel  
 E.  
 Lynch  
 Mack  
 Maloney  
 Manzullo  
 Marchant  
 Marino  
 Markey  
 Matheson  
 Matsui  
 McCarthy (CA)  
 McCarthy (NY)  
 McCaul  
 McClintock  
 McCollum  
 McCotter  
 McDermott  
 McGovern  
 McHenry  
 McIntyre  
 McKeon  
 McKinley  
 McMorris  
 Rodgers  
 McNeerney  
 Meehan  
 Meeks  
 Mica  
 Michaud  
 Miller (FL)  
 Miller (MI)  
 Miller (NC)  
 Miller, Gary  
 Miller, George  
 Moran  
 Mulvaney  
 Murphy (CT)  
 Murphy (PA)  
 Myrick  
 Nadler  
 Napolitano  
 Neal  
 Neugebauer  
 Noem  
 Nugent  
 Nunes  
 Nunnelee  
 Olson  
 Oliver

Owens  
 Palazzo  
 Pallone  
 Pascrell  
 Pastor (AZ)  
 Paulsen  
 Pearce  
 Pelosi  
 Pence  
 Perlmutter  
 Peters  
 Peterson  
 Petri  
 Pingree (ME)  
 Pitts  
 Platts  
 Poe (TX)  
 Polis  
 Pompeo  
 Posey  
 Price (GA)  
 Price (NC)  
 Quayle  
 Quigley  
 Rahall  
 Reed  
 Rehberg  
 Reichert  
 Renacci  
 Reyes  
 Ribble  
 Richardson  
 Richmond  
 Rigell  
 Rivera  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Rokita  
 Rooney  
 Ros-Lehtinen  
 Roskam  
 Ross (AR)

Becerra  
 Campbell  
 Doggett  
 Green, Gene  
 Guinta

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
 The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1429

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LANCE CORPORAL DREW W. WEAVER POST OFFICE BUILDING

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3248) to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the “Lance Corporal Drew W. Weaver Post Office Building,” on which the yeas and nays were ordered.

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

This is a 5-minute vote. The vote was taken by electronic device, and there were—yeas 412, nays 0, not voting 21, as follows:

[Roll No. 54]

YEAS—412

DeGette  
 DeLauro  
 Denham  
 Dent  
 DesJarlais  
 Deutch  
 Diaz-Balart  
 Dicks  
 Dingell  
 Dold  
 Donnelly (IN)  
 Doyle  
 Dreier  
 King (IA)  
 King (NY)  
 Kingston  
 Kinzinger (IL)  
 Kissell  
 Kline  
 Kucinich  
 Labrador  
 Lamborn  
 Lance  
 Farenthold  
 Farr  
 Fattah  
 Lankford  
 Filner  
 Fincher  
 Fitzpatrick  
 Flake  
 LaTourrette  
 Latta  
 Lee (CA)  
 Flores  
 Lewis (CA)  
 Lewis (GA)  
 Lipinski  
 LoBiondo  
 Loebsack  
 Lofgren, Zoe  
 Long  
 Lowey  
 Lucas  
 Luetkemeyer  
 Lujan  
 Lummis  
 Lungren, Daniel  
 E.  
 Lynch  
 Mack  
 Maloney  
 Manzullo  
 Marchant  
 Marino  
 Markey  
 Matheson  
 Matsui  
 McCarthy (CA)  
 McCarthy (NY)  
 McCaul  
 McClintock  
 McCollum  
 McCotter  
 McDermott  
 McGovern  
 McHenry  
 McIntyre  
 McKeon  
 McKinley  
 McMorris  
 Rodgers  
 McNeerney  
 Meehan  
 Meeks  
 Mica  
 Michaud  
 Miller (FL)  
 Miller (MI)  
 Miller (NC)  
 Miller, Gary  
 Miller, George  
 Moran  
 Murphy (CT)  
 Murphy (PA)  
 Myrick  
 Nadler  
 Napolitano  
 Neugebauer  
 Noem  
 Nugent  
 Nunes  
 Nunnelee  
 Olson  
 Oliver

Ackerman  
 Adams  
 Aderholt  
 Akin  
 Alexander  
 Altmire  
 Amash  
 Amodel  
 Andrews  
 Austria  
 Baca  
 Bachmann  
 Bachus  
 Baldwin  
 Barletta  
 Barrow  
 Bartlett  
 Barton (TX)  
 Bass (CA)  
 Bass (NH)  
 Benishek  
 Berg  
 Berkley  
 Berman  
 Biggert  
 Bilbray  
 Bilirakis  
 Bishop (GA)  
 Bishop (NY)  
 Bishop (UT)  
 Black  
 Blackburn  
 Blumenauer  
 Bonamici  
 Bonner  
 Bono Mack  
 Boren  
 Boswell  
 Boustany  
 Brady (PA)  
 Brady (TX)  
 Braley (IA)  
 Brooks  
 Broun (GA)  
 Brown (FL)  
 Buchanan  
 Bueshon  
 Buerkle  
 Burgess  
 Burton (IN)  
 Butterfield  
 Calvert  
 Camp  
 Canseco  
 Cantor  
 Capito  
 Capps  
 Capuano  
 Cardoza  
 Carnahan  
 Carney  
 Carson (IN)  
 Carter  
 Cassidy  
 Castor (FL)  
 Chabot  
 Chaffetz  
 Chandler  
 Chu  
 Cicilline  
 Clarke (MI)  
 Clarke (NY)  
 Clay  
 Cleaver  
 Clyburn  
 Coble  
 Coffman (CO)  
 Cole  
 Conaway  
 Connolly (VA)  
 Conyers  
 Cooper  
 Costa  
 Costello  
 Courtney  
 Cravaack  
 Crawford  
 Crenshaw  
 Critz  
 Crowley  
 Cuellar  
 Culberson  
 Cummings  
 Davis (IL)  
 Davis (KY)  
 DeFazio

Sullivan  
 Sutton  
 Terry  
 Thompson (CA)  
 Thompson (MS)  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Tierney  
 Tipton  
 Tonko  
 Towns  
 Tsongas  
 Turner (NY)  
 Turner (OH)  
 Upton  
 Van Hollen  
 Velázquez  
 Visclosky  
 Walberg  
 Walden  
 Walsh (IL)  
 Walz (MN)  
 Wasserman  
 Schultz  
 Waters  
 Watt  
 Waxman  
 Webster  
 Welch  
 West  
 Westmoreland  
 Whitfield  
 Wilson (FL)  
 Wilson (SC)  
 Wittman  
 Wolf  
 Womack  
 Woodall  
 Woolsey  
 Yarmuth  
 Yoder  
 Young (AK)  
 Young (IN)

Payne  
 Rangel  
 Serrano  
 Young (FL)

NOT VOTING—14

Hirono  
 Huelskamp  
 Johnson (IL)  
 Moore  
 Paul

Pastor (AZ)	Rothman (NJ)	Sullivan
Paulsen	Roybal-Allard	Sutton
Pearce	Royce	Terry
Pelosi	Runyan	Thompson (CA)
Pence	Rush	Thompson (MS)
Perlmutter	Ryan (OH)	Thompson (PA)
Peters	Ryan (WI)	Thornberry
Peterson	Sánchez, Linda	Tiberi
Petri	T.	Tierney
Pingree (ME)	Sanchez, Loretta	Tipton
Pitts	Sarbanes	Tonko
Platts	Scalise	Towns
Poe (TX)	Schakowsky	Tsongas
Polis	Schiff	Turner (NY)
Pompeo	Schilling	Turner (OH)
Posey	Schmidt	Upton
Price (GA)	Schrader	Van Hollen
Price (NC)	Schwartz	Velázquez
Quayle	Schweikert	Vislosky
Quigley	Scott (SC)	Walberg
Rahall	Scott (VA)	Walden
Reed	Scott, Austin	Walsh (IL)
Rehberg	Scott, David	Walz (MN)
Reichert	Sensenbrenner	Wasserman
Renacci	Sessions	Schultz
Reyes	Sewell	Waters
Ribble	Sherman	Waxman
Richardson	Shimkus	Webster
Richmond	Shuler	Welch
Rigell	Shuster	West
Rivera	Simpson	Westmoreland
Roby	Sires	Whitfield
Roe (TN)	Slaughter	Wilson (FL)
Rogers (AL)	Smith (NE)	Wilson (SC)
Rogers (KY)	Smith (NJ)	Wittman
Rogers (MI)	Smith (TX)	Wolf
Rohrabacher	Smith (WA)	Womack
Rokita	Southerland	Woodall
Rooney	Speler	Woolsey
Ros-Lehtinen	Stark	Yarmuth
Roskam	Stearns	Yoder
Ross (AR)	Stivers	Young (AK)
Ross (FL)	Stutzman	Young (IN)

## NOT VOTING—21

Becerra	Herger	Payne
Campbell	Hirono	Rangel
Cohen	Johnson (IL)	Ruppersberger
Davis (CA)	Moore	Schock
Doggett	Mulvaney	Serrano
Green, Gene	Neal	Watt
Quinta	Paul	Young (FL)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1435

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. DAVIS of California. Mr. Speaker, on rollcall No. 54, H.R. 3248, had I been present, I would have voted "yea."

## PERSONAL EXPLANATION

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcall Nos. 53 and 54, had I been present, I would have voted "yea."

## PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Speaker, on Wednesday, February 15, 2012 I was scheduled to fly out of Champaign, Illinois, on American Airlines Flight 4373 which was supposed to arrive in Chicago at 10 a.m. CST. This flight would have allowed me to make a connector flight to Washington in time for votes at 1:30 p.m. However, a maintenance issue on that flight unfortunately precluded my attendance for the first series of votes.

Had I been present, I would have voted "aye" on Ordering the Previous Question and "aye" on adoption of H. Res. 547, the Rule for H.R. 3408. Further, I would have voted "aye" on H.R. 2079, to designate the facility of the

United States Postal Service located at 10 Main Street in East Rockaway, New York, as the "John J. Cook Post Office"; H.R. 3247, to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building"; and H.R. 3248, to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the "Lance Corporal Drew W. Weaver Post Office Building."

#### PROTECTING INVESTMENT IN OIL SHALE THE NEXT GENERATION OF ENVIRONMENTAL, ENERGY, AND RESOURCE SECURITY ACT

Mr. HASTINGS of Washington. 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 bill, H.R. 3408.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 547 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. 3408.

□ 1435

## 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. 3408) to set clear rules for the development of United States oil shale resources, to promote shale technology research and development, and for other purposes, with Mr. POE of Texas in the chair.

The Clerk read the title of the bill.

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

General debate shall not exceed 1 hour, with 40 minutes equally divided and controlled by the chair and the ranking minority member of the Committee on Natural Resources, and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce.

The gentleman from Washington (Mr. HASTINGS) and the gentleman from Massachusetts (Mr. MARKEY) each will control 20 minutes. The gentleman from Michigan (Mr. UPTON) and the gentleman from California (Mr. WAXMAN) each will control 10 minutes.

The Chair recognizes the gentleman from Washington.

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

Mr. Chairman, I rise today in support of H.R. 3408, which contains the energy provisions in the American Energy and Infrastructure Jobs Act. This is an action plan to create jobs that will vastly expand American energy production, lower gasoline prices, strengthen our national and economic security, and

generate new revenue to help pay for infrastructure, and, Mr. Chairman, all without raising taxes or adding to the deficit.

In this year's State of the Union speech, President Obama proclaimed his support for expanding American energy production with an all-of-the-above energy strategy. Sadly, Mr. Chairman, the President's actions while he has been in office have been anything but pro-energy. In fact, his rhetoric—and I don't say this lightly, Mr. Chairman—is 180 degrees from his actions.

Since taking office, this administration has repeatedly blocked U.S. energy production. The offshore drilling moratorium and the Keystone pipeline are just the tip of the iceberg. He has canceled and withdrawn scheduled lease sales, shut off promising areas to new drilling, blocked mining in mineral-rich areas, and issued countless job-destroying regulations.

Mr. Chairman, actions do speak louder than words. The bill we are considering today is an action plan that clearly contrasts President Obama's anti-energy policies with the pro-energy, pro-American jobs policies of Republicans.

While President Obama has closed off new areas for offshore drilling, this bill will open areas known to contain the most oil and natural gas resources in the Atlantic, Pacific, and Arctic Oceans. As a result, economic analysis has shown that well over 1 million jobs—long-term jobs, long-term American jobs—can be created.

While President Obama opposes energy production in ANWR, this bill will open less than 3 percent of the total area to responsible and safe drilling. That issue has been around a while, Mr. Chairman. ANWR represents the single greatest resource of onshore area production in the United States. This is one of the reasons that way back in 1980, when Jimmy Carter was still President and the Democrats controlled the Congress, they specifically set aside the north slope of ANWR for energy production.

□ 1440

Safe and responsible energy production in ANWR will protect the environment while creating tens of thousands of jobs and providing upwards of 1½ million barrels of oil per day. By the way, this is more than the U.S. imports daily from Saudi Arabia.

While the President has delayed leases and withdrawn over a million acres in the Rocky Mountains to oil shale development, this bill will set clear rules and require additional oil shale leases to be issued. According to the government estimates, this region may hold—and, Mr. Chairman, this is a significant number. This region may hold more than 1½ trillion barrels of oil equivalent. That's six times Saudi Arabia's proven reserves and enough to provide the United States with energy for the next 200 years. And I'm just

talking about oil shale. Robust oil shale development could also create hundreds of thousands of jobs, and that should be self-evident.

Finally, while the President refused to approve the Keystone XL pipeline, this bill would require the Federal Energy Regulatory Commission, or FERC, to approve it within 30 days. The Keystone XL pipeline will create more than 20,000 American jobs and displace less stable energy imports with millions of barrels of safe and secure North American oil.

Since this President took office, Mr. Chairman, gasoline prices have climbed by 91 percent. Meanwhile, Iran is threatening to close off the Strait of Hormuz, which is responsible for transportation of almost 17 million barrels of oil a day, or 20 percent of all oil traded. Prices will only climb higher if we don't take action now to increase our energy independence and develop our own energy resources.

Today, Mr. Chairman, Republicans are moving forward with a plan to create more jobs and create more American energy.

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

Mr. MARKEY. Mr. Chairman, I yield myself as much time as I may consume.

Unfortunately, according to the Congressional Budget Office, these drilling measures the Republicans are bringing out on the House floor today, together, would only raise \$4.3 billion over 10 years, less than one-tenth of the revenue shortfall needed to fund our highways.

In reality, this bill amounts to little more than a giveaway of our public lands to Big Oil under the guise of funding our Nation's transportation projects, and most estimates are that no new revenue will be produced that is usable for this transportation bill.

Across the United States, oil production is at its highest level in nearly a decade. Natural gas production has reached levels we have never seen before in the United States. Oil production on public lands offshore is higher than it was during each of the last 3 years of the Bush administration.

According to industry analysts, by this summer, there will be nearly 30 percent more floating rigs operating in the Gulf of Mexico than there were prior to the BP spill. Yet the Republican bill would threaten the tourism and fishing economies of coastal States by allowing drilling off of our beaches in Florida, in California, up and down our east and west coasts, and, as well, in an area extensively used by the military where even Secretary Rumsfeld said "drilling structures and associated development would be incompatible with military activities" in this area.

This Congress has not enacted a single safety improvement since the BP spill. The bill would allow for drilling in the Arctic National Wildlife Refuge in Alaska, ripping out the heart of the crown jewel of our National Wildlife

Refuge System. The Arctic Refuge is America's Serengeti. It is one of the natural wonders of the world, like the Grand Canyon, Niagara Falls, or the Great Barrier Reef, and it should be protected.

If we allow drilling in the Arctic Refuge, it will set a precedent that will allow the oil and gas industry to place a bull's-eye on each of the 540 wildlife refuges across this country. And this legislation would rush to give away 125,000 acres of public land in Colorado, Utah, and Wyoming to Big Oil for oil shale development. However, there is no commercially viable oil shale technology, and oil shale development could have significant impacts on water quality and quantity in the West if there were a commercially viable technology available, which Shell Oil and the Department of the Interior says does not yet exist.

In fact, the Government Accountability Office has said that the impacts of oil shale development on water could be significant but are unknown. What's more, this provision has been included by the majority, despite the fact that the Congressional Budget Office says that it would not raise any revenue over the next 10 years to fund our highways. So understand that.

This is a provision which CBO says raises no revenue in the next 10 years, but it's just stuck in here. The oil and gas industry would like to see it, so they just tossed it in. Nothing to do with funding transportation.

And the majority's drilling bills wouldn't even ensure that American natural gas stays here in America to help our consumers. Natural gas prices are six times higher in Asia than they are right here. They are more than three times higher in Europe than they are right here.

Low natural gas prices have been driving the economic recovery of the United States. We have far more natural gas in our country—and it's very low-priced—then we have oil. What the Republican bill will allow to happen is for this natural gas to be exported around the world, and exporting our natural gas would eliminate our competitive edge by driving prices up by as much as 54 percent, according to the Department of Energy.

Not ensuring that the natural gas stays here in the United States ensures that the majority, the Republicans, are imposing a de facto natural gas tax on American agriculture, manufacturing, chemicals, steel, plastics by allowing our gas to be exported.

Here's what T. Boone Pickens says about the idea of exporting American natural gas. Here's what he says:

If we do it, we're truly going to go down as America's dumbest generation. It's bad public policy to export natural gas.

Our natural gas is six times cheaper than Asian; it is three times cheaper than European. What are we doing exporting it? We should keep it here for our own farmers, for our own industries, for our own consumers. That's

how we begin to put ourselves on a path of energy independence.

I agree with T. Boone Pickens. We should keep our natural gas here. We should not be following the Republican energy plan of drill here, sell there, and pay more. If we sell this natural gas around the world, the Department of Energy says the price is going up 57 percent here because we'll have less of it. That's how supply and demand works.

The same dynamic exists in the Keystone portion of the bill, where Republicans have failed to include any assurances that even a drop of the oil or the fuels will stay in this country.

When I asked the president of TransCanada, the pipeline company from Canada, whether he would be willing to commit to keeping the oil that passes through this pipeline in the United States, he said no. And why? Because the oil companies and the refineries want to export the fuels to the highest bidders around the world, leaving the American people with all of the environmental risk and little or none of the energy or economic benefit.

So drill here, sell there, pay more, that's not the Republican mantra. Drill here, drill now, pay less. Now they've morphed into what the oil and gas industry want, and all of the economic indicators point to the conclusion that our consumers will be harmed by that.

On the question of the totality of the economic benefits for our country, they are simultaneously proposing to kill the tax breaks for the wind industry, which is now creating 85,000 jobs in our country, in the face of the wind industry, saying that they will have to lay off 40,000 people over the next year unless the production tax break for the wind industry stays on the books.

□ 1450

So all of this is basically upside down as an energy policy. My strongest admonition to the Members who are listening to this debate is to vote "no" on this Republican proposal.

I reserve the balance of my time.

Mr. HASTINGS of Washington. I am pleased to yield 3 minutes to the former chairman of the Natural Resources Committee and the former chairman of the Transportation Committee, the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chairman, I rise in strong support of H.R. 3408.

I'm really here to talk about ANWR. You know, I just wrote a little poem. It's not too good:

Old Mother Hubbard went to the cupboard to  
fetch a barrel of oil.

Lo and behold, none was there.

Lack of action by this Congress, beware.

ANWR still lays bare.

Time to drill for the people of America.

We have argued this battle over and over again. The gentleman from Massachusetts says no use for atomic power, no use for ANWR, we're in good shape. But look at the prices of gas, Mr. and

Mrs. America. It will go to \$5. You say this won't solve the problem. I've heard this before.

If you want to have money for transportation, think for a moment. I passed this bill out, got it to the Senate side, this is the 12th time. One time it got to the President, and President Clinton vetoed it. We would have saved \$4 trillion if we had had ANWR open at that time. Think of the highway bill we would have had then. That's something I think the American people should recognize.

We do have the fossil fuels in America. We do have the oil, we do have the gas. But we haven't had the will to develop them because we brought them from overseas. We got them in here, and now we're dependent upon the Midwest, and, yes, Venezuela, our good neighbor Venezuela, Chavez.

It's time for America to wake up. We need this supply of fossil fuels, and it's going to stay here. Not wind, not solar, because fossil fuels are still the cheapest way to move an object. It is the commerce of this Nation. It moves our trains, our planes, our automobiles, our trucks, and our ships, and it will continue to do that. That's what keeps us moving in this country. It keeps our economy strong. As long as we will have that fossil fuel within the United States, it is criminal to continue to rely upon the foreign countries.

We talk about Big Oil. Pick on Big Oil. Big Oil this, Big Oil that, Big Oil this. The truth of the matter is Big Oil does help the United States of America. Little oil helps the United States of America. It keeps our trucks and our planes flying. It keeps our economy strong.

So I'm urging you to vote on this aspect of ANWR. Open ANWR. Let's vote on it. Let's provide for this Nation. Let's do what's right for the people in this Nation. It only covers an area as big as Dulles airport. Out of 19 million acres, less than 3,000 acres will be developed. Less than 3,000 acres will be developed to divide us from probably 39 billion barrels of oil, 74 miles away from the pipeline, a pipeline that can deliver 2 million barrels of oil a day to the United States of America, as we have done in the past.

We've had one shipment of oil go overseas, heavy oil. All of the rest has gone to the United States of America. It's gone to the refineries. It's time for us as a Congress to act responsibly.

With all due respect to my friend from Massachusetts, he's against nuclear power. He's against oil. In fact, I question the wind power because one time he was against that. I'm saying, wait a minute. What are we doing to run this country for power? How do we get our economy going again? That is the key to our economy: energy, good cheap energy.

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

When the Democrats controlled the Congress in 2009, we passed a bill out here on the House floor that created an

advanced energy technology bank that included \$75 billion that the nuclear industry could have qualified for, \$60 billion for the coal industry for clean coal technology. Although we also built in incentives for wind and for solar and for energy efficiency, we did it all. We gave everyone a running head start. We didn't say "nothing" to nuclear. No.

What have the Republicans done over the last year? They passed out here on the floor a bill that zeroed out the money for loan guarantees for wind and solar, but they left in the loan guarantees for the nuclear industry. That's not an all-of-the-above strategy, and you all voted for it unanimously.

No. Here's where we are. This oil-above-all strategy that you have, not all-of-the-above, this is basically at the heart of what this whole debate is all about.

Last year, the oil industry in the United States made \$137 billion. This year, they're going to blast right past that \$137 billion. Every person watching this debate is looking at the pump right now at \$3.50, \$4, \$4.50 that they're paying, and it's going straight up.

They're going to be reporting profits of upwards of \$200 billion. The Republicans continue to keep in the \$4 billion-a-year for tax breaks for the oil industry. Over 10 years, that's \$40 billion that would pay for the transportation bill.

Subsidizing the oil industry in 2012 to drill for oil is like subsidizing fish to swim or birds to fly; you don't have to do it. The consumer is already doing it at the pump. They're being tipped upside down.

So, there's an easy funding mechanism here. It's just taking away the oil company tax breaks.

The CHAIR. The time of the gentleman has expired.

Mr. MARKEY. I yield myself an additional 30 seconds.

That is the only way that we can substitute the money that stays within that sector.

These guys are going to cut back on the pension plans of Federal retirees in order to pay for a transportation bill when we should be keeping the funding stream within this energy sector because that's why we have cars on the road, in order to use this petroleum.

The oil industry right now is having it both ways. They're getting tax breaks from the taxpayers at the same time that they're taking the other pocket of every American as consumers, and they're taking money out of that pocket as well. That's really at the heart of what this debate is all about.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 3 minutes to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Chairman, I thank the chairman of the committee, Dr. HASTINGS.

I rise in support of H.R. 3408. This legislation does three vital things: it

will open up land in the West to oil shale development; open up one of our most promising areas for energy development in the United States, the Arctic National Wildlife Refuge; and increase offshore production as well.

These provisions will create hundreds of thousands of American jobs and ensure the continued production of new domestic increases in our energy security and decrease our reliance on foreign oil—a goal the administration has professed to support time and time again.

Oil shale is one of the most promising new sources of American-made energy. The U.S. Geological Survey estimates that the Western United States holds more than 1.5 trillion, with a "t," barrels of oil—six times Saudi Arabia's proven resources and enough to provide the United States with energy for the next 200 years. Opponents to this legislation will argue that this legislation attempts to promote technology that isn't proven.

However, while the American oil shale industry is forced overseas due to regulatory uncertainty and burdensome Federal regulations here, other nations are profiting right now from this technology, countries like Jordan, China, and Estonia.

Just this morning we heard from Secretary Ken Salazar who expressed the administration's support of emerging technologies. You would think that that would include oil shale. Unfortunately, the Obama administration's support amounts to offering leases with such extremely restrictive terms that it attracts hardly any industry support at all.

As a result, countries overseas, which get over 90 percent of their total energy supply from oil shale, like Estonia, have robust oil shale industries.

I asked Secretary Salazar how this administration can say it promotes new energy while stifling research and development of this tremendous energy potential, oil shale, and he had no good answer.

□ 1500

Now, this legislation also opens up energy in Alaska, specifically in the less than 3 percent of ANWR that the bill deals with. This area was set aside by President Carter in 1980 precisely for oil and gas development. The Arctic National Wildlife Refuge holds the single greatest potential for a new domestic energy source within the United States. Offshore, this legislation would increase drilling in Federal waters while ensuring the protection for our offshore military operations as well as fair and equitable revenue sharing for all coastal States. This energy legislation will create consistent policies to move the domestic energy industry forward and will create good-paying American jobs for thousands of Americans.

People say all the time to me, Why don't we have a better energy policy in this country? This legislation does exactly that.

I urge my colleagues to support H.R. 3408.

Mr. MARKEY. Mr. Chairman, may I inquire as to how much time is remaining on either side.

The CHAIR. Both sides have 9½ minutes remaining.

Mr. MARKEY. I yield 3 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. My good friend and colleague just asked a very good question: Why don't we have a good American energy policy?

You won't get it with this bill. This may be the worst American energy policy I've ever seen.

Oil shale, are you kidding me? There is no way that you're going to see oil shale developed within the United States at any time probably in our lifetimes. It didn't work in the 1980s. It's not likely to work in the next two decades. So what's this all about? And by the way, if you happen to be from Colorado, Utah, Arizona, California or New Mexico, you'd want to go, Whoa, wait a minute. Oil shale? That takes a lot of water. We don't have enough water, and you're going to use it for that? I don't think so.

Come on. Let's get real here. We do need a real energy policy.

You're going to open up ANWR? There are some very special places in this world, and ANWR happens to be one of them. The Arctic National Wildlife Refuge happens to be one of those places. You're not going to open it up. And by the way, as for those of us from California, my good friends on the Republican side are always talking about states' rights. They're always talking about states' rights. Your little piece of legislation here strips away the right of California to take care of its own coastline. It's not just authorizing the offshore drilling. You take away California's coastal zone management powers, stripping away from Californians—all 38 million of us—our ability to take care of our own coast. Something is terribly wrong with this piece of energy legislation.

You're going to fund the transportation with this while stripping money away from the Land and Water Conservation Fund? How does that work? How does that work? And by the way, the money won't be there anyway.

This is not an energy policy—this is a stupid policy—and there ought to be 435 reasons. Each and every person in this House is affected in a negative way by this piece of legislation. There are 435 of us who ought to say, Put this aside just as we have discovered the underlying bill on transportation has found little support and has to go back and be reworked because of its insufficiencies.

This is no way to fund a transportation bill. This is no way to treat California. This is no way to have an energy policy for America. Yes, we do need an energy policy, and we do need to have many different elements to it; but we don't sacrifice those special

places like the California coast, like the Arctic National Wildlife Refuge, like Bristol Bay, like the coast of Florida, like the east coast of the United States. We do not sacrifice that for an energy policy that doesn't solve the problem that this is purported to solve.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN of Tennessee. I thank the gentleman from Washington for yielding me this time, and I thank him for his leadership on this very important bill.

I rise in strong support of this legislation.

This administration, Mr. Chairman, has a Secretary of Energy who told The Wall Street Journal that we should be paying the same price for gasoline as they're paying over in Europe. At the time he said that, they were paying \$8 to \$9 a gallon. Well, I know that most environmental radicals come from very wealthy or very upper-income families, and perhaps they can afford gasoline at \$8 or \$9 a gallon, but most people can't. In fact, Mr. Chairman, many experts are predicting we're going to be at \$5 a gallon as soon as this summer. I can tell you that's going to hurt a lot of poor and lower-income and working people if we go to even \$5 a gallon, and it's going to hurt a lot of small towns and rural areas because people in those places generally have to drive longer distances to go to work.

I represent, Mr. Chairman, a large part of the Great Smoky Mountains National Park. That national park is slightly under 600,000 acres. We get between 9 million and 10 million visitors a year. ANWR—and I happen to be one of the very few Members who has been to ANWR twice—is the most barren place I've ever been to. Chairman YOUNG estimated that there are 100 miles without a tree or a bush on it. ANWR is 19.8 million acres, which is 35 times the size of the Great Smoky Mountains. Time magazine said they get about 200 to 300 visitors a year, and you have to be a survivalist to go in there.

Now we want to expand our energy production there with just a few thousand acres—a minuscule portion of ANWR—to help our own people. If we don't do that, who we're helping are foreign energy producers; but we're hurting a lot of poor and lower-income and working people in this country.

When we passed ANWR in the mid-90s and when it was vetoed by President Clinton, it was said at that time that it would produce 1 million barrels a day coming down into this country, but President Clinton vetoed it. They said at that time that it wouldn't help right away. Well, it would sure be helping now if it hadn't been vetoed. In addition to that, if we would start developing more of our natural resources now, some of these foreign energy producers would have to start bringing their prices down. I think—in fact, I'm

convinced—that this legislation would start helping right away or it would, at least, in a very short time.

We need to start putting our own people first, once again, instead of just helping out foreign energy producers.

Mr. MARKEY. I yield myself 1 minute.

Here is the reality. The Republicans need money to build roads, so they want to drill in the Arctic National Wildlife Refuge, which Senator INHOFE from Oklahoma has already made clear doesn't have the votes to pass in the Senate. The same thing is true for California and Florida and off the coast of Massachusetts and New Jersey. They want to drill there as well, and it's very clear that the votes aren't there in the Senate to accomplish that goal either. As the gentleman from California just said, the likelihood of finding any revenues from oil shale is at least two decades away, so there are no revenues there.

There is another bill, by the way, that's going to come out here on the floor. And in order to find the revenues, do you know where they're going to drill? They're going to drill into the pensions of FBI agents; they're going to drill into the pensions of the researchers for cancer out of the National Institutes of Health; and they're going to drill into the pensions of the Border Patrol agents, who are protecting us right now down on the Mexico border. That's where they're going to find almost all of the money for this bill—in the pensions of those people.

Is that really the way we want to build the roads of our country?

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 1 minute to a member of the Natural Resources Committee, the gentleman from Colorado (Mr. TIPTON).

Mr. TIPTON. I thank Chairman HASTINGS for yielding.

Mr. Chairman, this is clearly an interesting position from our Democratic colleagues. They say we need roads; they say we need jobs; they say we need an energy policy. But not here, not now, not anywhere.

When we look at the challenges that we face from overseas in terms of creating American certainty for energy, it's something for which we must all stand together. We're looking at developing oil shale as a potential resource for this country, right here in America, in order to be able to create American jobs on American soil while using American energy resources.

Let's explore this.

□ 1510

From the Republican side, we've clearly stood for an all-of-the-above policy. Why is there such reluctance from our Democrat colleagues to embrace developing the technology to be able to create certainty for America's energy future, to be able to help struggling young families, senior citizens on fixed incomes make sure that their

utility bills, their gas bills don't continue to rise? That's what we're proposing.

The CHAIR. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman another 1 minute.

Mr. TIPTON. I thank the gentleman.

When we're talking about protecting Colorado, many of our Democrat colleagues joined the amendment that I put forward, stating that the Secretary wouldn't consider but shall address local concerns. If you understand Colorado water, you can't just take it. It's a priority-based system. You have to actually own that water to be able to develop it.

We have a reasonable plan that we're trying to put forward to develop American energy certainty; but our Democratic colleagues, their solution of having "no, not here, not now, not anywhere" is not a solution that will work for America. Let's get our people to work. Let's create certainty for America and stand up for the American consumer for a change.

Mr. MARKEY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, just 2 weeks ago, President Obama stood right here in this Chamber; and he said that he was going to propose opening up 75 percent of the oil and gas resources off the coast of the United States. That's a great plan. He doesn't want to drill off the California beaches. He doesn't want to drill off Florida beaches or off the New Jersey or Massachusetts beaches. But the rest of it, he's pretty much saying he's open to. But they're not happy with it over here. The President has a real plan and a plan that can be implemented.

What they are doing is they bring out proposals here that try to build real highways with fake oil revenues that are never going to materialize. So rather than working here in the real world, where the real transportation needs of our country are dealt with with real revenues that are coming in, they talk about oil shale which Shell says is at least another 10 years away. Shell Oil, that is, not some shell collector along the beaches.

The CHAIR. The time of the gentleman has expired.

Mr. MARKEY. I yield myself 30 additional seconds.

We are talking Shell Oil who says it's 10 years away. JIM INHOFE in the Senate says the votes aren't there to drill in the Arctic National Wildlife Refuge. So that's zero dollars as well. And the likelihood of them drilling off the coast of California or Florida or Massachusetts for oil is zero. So rather than going through this facade of trying to pretend that real highways can be built with fake oil revenues, we should be taking up the offer of President Obama where he says he'll open up 75 percent of all the drilling possibilities off the coastlines of our country. That is what this debate should be all about.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. OLSON).

Mr. OLSON. I thank the chairman of the Natural Resources Committee for the courtesy of speaking in support of H.R. 3408.

Mr. Chairman, I rise in strong support of H.R. 3408, the PIONEERS Act, and by doing so, I'm standing up for American innovation, American jobs, and renewed American prosperity. Shale oil is a game-changer. You don't have to look any further than the Eagle Ford shale in my home State of Texas to see the economic benefits of this stable American energy resource.

This past Sunday when I went to the Eagle Ford shale, there were 171 oil rigs and 93 natural gas rigs drilling thousands of wells. More rigs are coming, and major pipeline projects are under way to support production that will grow to 420,000 barrels per day. Let me say that again: 420,000 barrels of oil per day. One of my friends on the other side of the aisle said, Oil shale, no way. I've seen with my own eyes at Eagle Ford shale; and I say, Oil shale, yes way.

Eagle Ford shale job creation is now in full swing with scores of new businesses opening up to support the boom. More than 10,000 jobs have already been created, and 58,000 more are on the way. The economic recession is a thing of the past in this part of our country and in my State.

The world, as we've known it, is literally changing in front of our eyes. Our long-established dependence upon imported energy could be a thing of the past if we unleash America's energy resources. H.R. 3408 will get us one step closer.

Mr. MARKEY. I yield myself 1 minute at this time.

The Republicans, over the past year, have betrayed their agenda. They have pretty much voted out on the House floor to gut the budget for wind, gut the budget for solar, gut the budget for plug-in hybrid vehicles and, at the same time, kept in the money for the nuclear industry, kept in the tax breaks for the oil industry. So that is pretty much what the debate is all about. It's about the past versus the future.

In our country right now, the American people want to know that we're embracing a future-oriented, technology-oriented, advanced-technology-oriented agenda for our country. That's what all the Republicans keep voting against out here, all of the new technologies that allow us to move on from this fossil-fuel era.

And it would be one thing if they just didn't vote for it, but then they have the temerity to stand up and to say they believe in all of the above. No, they do not. They believe in oil above all because otherwise they would not vote to kill wind and solar out here on the House floor over the last year.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, Senator INHOFE's quote has been thrown around here recently. Let me give another quote by Senator INHOFE:

As I have said, we can make great strides toward increasing North American energy independence by developing our own domestic resources. We can do this and support millions of American jobs, produce affordable energy for consumers, and reduce our dependence on foreign oil.

He said that in March 2010. I think that's important.

Mr. Chairman, I want to make one other point. There's been an implication here that it has been the policies of this administration that have increased oil and gas supplies; but if you look at the President's own budget that came out this week, there are two aspects of revenue coming in from oil and gas production. You have the lease sales, and you have the royalties. If you look at the President's own budget that came out just 2 days ago, you will see that this year and in the out-years, money coming in from lease sales decreases. That means that the policy of this administration is not more energy production on public lands. It's less.

He has taken advantage of the situation that's going on on State and private lands and is taking credit for it with what's happened in North Dakota. This plan here puts together a solid footing for American energy production on public lands.

With that, I reserve the balance of my time.

Mr. MARKEY. I think it would be helpful for both sides to understand what the time situation is for the conclusion of the debate.

The CHAIR. The gentleman from Massachusetts has 3 minutes remaining. The gentleman from Washington has 1½ minutes.

Mr. MARKEY. Does the gentleman intend to conclude debate with his next speaker?

Mr. HASTINGS of Washington. My intent, Mr. Chairman, is to hold that 1½ minutes at the end of the overall debate in case the gentleman says something that needs to be responded to.

Mr. MARKEY. In that case, I will yield myself the balance of my time so that I can utter the sentences that will need responding to by the chairman of the committee.

□ 1520

Mr. Chairman, let's go back a little bit to this issue of natural gas and what this Republican bill calls for—more drilling for natural gas in our country. Okay, we can look at that.

We support natural gas. We think that natural gas is the best story that's happened in our country in the last 10 years. We love natural gas. Democrats love it. It's half the pollutants of coal. It's domestically produced. We have to make sure that when we're extracting it we don't shoot chemicals down into

the surface so that we pollute the water that our children drink, but we think that we can work through those issues if people of good faith are willing to work together.

Otherwise, it's a fantastic story. Why is that? Because natural gas is not a world market. The world market is for oil. If it's \$116 a barrel in China, it's \$116 a barrel in the U.S. It's a global market. And that's what allows OPEC to hold us hostage, because they control all of that oil coming out of the Strait of Hormuz. They control all that oil so that they can basically hold the rest of the globe's economy hostage. But natural gas, not true.

Here we've seen a 30 percent increase in our natural gas reserves over the last 5 years. What does that mean? Well, in China it's \$16. Japan, \$16 per million cubic feet of natural gas. What is it in the United States? It's \$2.42. So it's six, seven times cheaper in the United States. That means it is cheaper for every manufacturer, cheaper for every retailer, cheaper for every farmer, cheaper for every consumer.

What are the Democrats saying? We love natural gas; let's keep it here. Let's not be setting up terminals all across our country to export the natural gas across the planet with the Department of Energy saying, if we did that, the price of natural gas in the United States would rise 57 percent. How can that be good for consumers? Isn't that our advantage? Saudi Arabia is the Saudi Arabia of oil. We are the Saudi Arabia of natural gas. Why don't we use that to our advantage? Why don't we use that to inoculate ourselves against what Saudi Arabia of oil does to us by jacking the price of oil up and down? Why don't we become independent of them? Why don't we move to all natural gas vehicles? Why don't we use natural gas in the generation of electricity? Why don't we use natural gas in the production of all of our products? And why don't we use natural gas in the homes of our country, in the factories of our country, in the industries of our country at a price that's six times lower than China and Japan, three times lower than Europe?

That's what we are calling for here, an energy strategy that is all-American. And if we can get to that with this debate today, I think that the American people will be the winners.

I yield back the balance of my time.  
Mr. HASTINGS of Washington. I reserve my remaining 1½ minutes until the end of the overall debate.

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

I rise today in support of H.R. 3408, which is known as the Protecting Investment in Oil Shale the Next Generation of Environmental, Energy, and Resource Security Act.

This is primarily about the Keystone pipeline. The Keystone pipeline has been a topic of discussion in America for the last 3 or 4 years. When it came to the attention of Congress that this

pipeline, which promises to create tens of thousands of jobs and increase our access to safe and secure supplies of oil, was experiencing an unreasonable level of delay, Congress decided that we needed to step in.

We have, in Keystone pipeline, a company willing to invest \$7 billion in private funds at no expense to the taxpayer. That would ultimately bring nearly a million barrels of oil per day from Canada to the U.S.—additional oil per day.

Even the President's Jobs Council agrees. Their report specifically suggested the pipeline is a win-win-win for job creation, modernizing the Nation's infrastructure, and helping ultimately to lower gasoline prices in America. I would also like to point out that five major labor unions support the building of the Keystone pipeline.

A few years ago, Secretary of State Hillary Clinton was in San Francisco giving a speech at the Commonwealth Club. In response to a question about Keystone pipeline, whether or not they would issue the permit to build it, Secretary of State Clinton said: We are inclined to do so.

This project has now been studied for over 40 months by seven or eight agencies of the Federal Government. And normally, to build an oil pipeline in America, it takes on the average of 24 months. When the Department of State issued their final environmental impact statement back in August 2011, they concluded that there were not any significant environmental issues. And they also said that when they look at the option of either, one, building a pipeline, or, two, not building a pipeline, that the preferable option was to build the pipeline. And of course the rationale for that is that if you don't build the pipeline and you bring oil in from other countries, you either have to do it by truck or by rail, which certainly emits a lot into the atmosphere.

But despite all of these positive reasons to build this pipeline, President Obama made a blatantly political decision when he said: I don't want to decide until after the Presidential election. And that's when Congress got involved and said we'd like a decision by February of 2012. And the President said: Well, I don't have enough time to study it, so I'm not going to allow it—even though it has been studied for 40 months. This is a 1,700-mile pipeline. The only issue left relates to about 60 miles in the State of Nebraska, and the Governor of Nebraska supports building this pipeline.

So this is a win-win-win situation for the American people, and I would urge my fellow Members to support this legislation to require FERC to make a decision on this pipeline.

I reserve the balance of my time.

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

Mr. Chairman and my colleagues, I rise in opposition to this legislation.

Last week, the Republicans filed this bill, this transportation bill that the

Secretary of Transportation called the worst transportation bill he had ever seen. The Republican leadership realized that not even Republican Members would vote for this monstrosity of bad policy, so they've chopped the bill up into three parts and hope to get a separate majority on each part. This way, House Republicans hope they can pass the bill and give their Members deniability at the same time. Now, that's not a transparent process or a fair one. It's a way to hide what's really going on from the American people.

Some Republicans don't want to vote for drilling in the Arctic National Wildlife Refuge; others don't want to vote for the money for the highways because some of the right-wing groups in this country are against it. So we've got this shell game going on.

The bill before us, H.R. 3408, contains the text of a very bad bill that came out of the Energy and Commerce Committee. We considered that bill earlier this month. The bill provides a legislative earmark that would direct the Federal Energy Regulatory Commission, or FERC, to issue a permit for the construction of the Keystone XL pipeline within 30 days of receipt of an application.

□ 1530

Now, existing law requires the President to make a determination whether this pipeline is in the national interest. Serious questions have been raised about whether this pipeline is in our national interest. It is being built with steel imported from South Korea and pipes from India. The oil it transports, I believe, will be exported to China. Meanwhile, the risks of spills from that pipeline that could contaminate drinking water will be borne by American families.

These are factors the President should take into account. But this law ties his hands. It mandates that the Federal Energy Regulatory Commission approve the pipeline without addressing any of these issues. In fact, it requires approval before we even know the route that the pipeline will take.

Now this follows some Keystone Kops activities on the Republican side of the aisle. They've worked themselves up about this pipeline. So in order to get unemployment insurance or middle class tax breaks, they put in the extension for 2 months of those areas, a requirement that the President decide the issue within 2 months. And the President said, I don't have all the information, I can't make that decision. So he said, I'm not going to approve it within 2 months. I'll consider it later, but I'm not going to approve it.

Suddenly, the Republicans realized they were outsmarted, hoisted by their own petard. They forced the President to make a decision, and he made a decision against them. They don't want to take that chance again.

This bill would put in an exemption from all the laws for one pet project, from the ordinary permitting requirements that apply to every other oil pipeline crossing our borders.

During the committee process, we asked a simple question: Who benefits from this unprecedented congressional intervention into the regulatory process? Many media reports said that a private oil company, Koch Industries, is one of the “big winners.” But the committee refused, even though the Democrats asked them, to even inquire from the company, Koch Industries, whether it had a direct and substantial interest in the pipeline. They wouldn’t even ask that question. Could you imagine? They talk about they’re against earmarks, then when there is an earmark that they want, they won’t even tell us who benefits from it?

Under this bill, the oil industry gets a conduit for exporting tar sands products from Canada to China. India gets the opportunity to provide pipes to build it. South Korea gets a market for its steel. But what do we get? Midwestern farmers and ranchers will have their land seized through eminent domain and may lose their vital water supplies to a pipeline spill into the Ogallala Aquifer. Oil prices in parts of the United States will increase as fuel supplies come into their area, and we are left with a dirtier fuel supply and higher emissions of carbon pollution, worsening the climate change that is already starting to afflict our Nation.

I urge all Members to oppose this legislation, and I reserve the balance of my time.

Mr. WHITFIELD. At this time, I would like to yield 3 minutes to the distinguished gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Chairman, the language that we’re discussing at this current time is allowing the Keystone pipeline a path forward. It’s based on a bill I introduced back in September, which is H.R. 3548. Keep in mind that the President of the United States killed the Keystone pipeline. We think that was kowtowing to the environmental extremists, some of which may be in the House of Representatives, or represented here today. But the reality is that it was a wrong decision. It is in the best interests of our Nation to have the Keystone pipeline bringing oil from Alberta oil sands into the United States, where it can be refined and used in the United States, offsetting imported oil from Venezuela and Saudi Arabia.

Keystone pipeline would take these supplies from Canada and use them in the United States, creating tens of thousands of jobs over a 2-year to 2½ year construction phase with permanent jobs thereafter to maintain the pipeline and its hubs along the 1,700-mile pipeline.

Now, as far as the environmental objections to the project are concerned, I wish more people would have read the administration’s own final environmental impact study. It found that not building the Keystone XL would lead to more oil being transported by riskier means, such as tankers, trains, and trucks. For this reason, the admin-

istration’s folks concluded that the building of the pipeline is environmentally preferable to not building the pipeline and that its route was safe. Then the Nebraska Governor requested that, just for a little bit of Nebraska, that they do a 30- or 40-mile loop. The path was set, except for this little loop.

Now, it would take a long time to dispel all the myths that have been perpetuated by the opponents in the environmental community. But it’s worth noting that these are intrastate issues well on their way to being resolved and, in fact, were carved out in the previous bill mentioned by the gentleman from California, but the President ignored the Nebraska exemption giving Nebraska time to work through its change of route for about 40 or 50 miles of the 1,700. He never mentioned that and killed the pipeline.

So we give a pathway forward to TransCanada to re-file its permit with all of the environmental documents that it has gathered over the last 3 years, presented to the administration last year, and give time to Nebraska to resolve their issue.

The CHAIR. The time of the gentleman has expired.

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

Mr. TERRY. So, politics of the extreme put us in this position. But let’s ask, who benefits from this oil coming into the United States from our partner, Canada, and being refined and used in the United States of America? If we have this, everyone benefits in our Nation. If we don’t have this pipeline to displace the oil, who wins? Venezuela, which continues to send us 900,000 barrels per day, and Saudi Arabia. Our reliance just grows for these nations’ oil supplies. That’s who wins, Saudi Arabia and Venezuela.

Mr. WAXMAN. Mr. Chairman, I’m pleased at this time to yield 4 minutes to the gentleman from Illinois (Mr. RUSH), the ranking member of the Energy Subcommittee.

Mr. RUSH. I want to thank the ranking member for this time, and I thank him for his leadership on this issue.

Mr. Chairman, I find it remarkable that we are here today debating a bill that is essentially a regulatory earmark for just one company, and that company is called TransCanada. And we’re here debating whether to build a pipeline through the heart of our country without even allowing the appropriate State and Federal agencies to completely conduct their due diligence and their oversight responsibility.

Mr. Chairman, this legislative gift wrapped in fine gift-wrapping to TransCanada on behalf of my Republican colleagues will completely circumvent the State Department and the other State and Federal agencies, those agencies that have the know-how and the expertise, to thoroughly examine this process, and Mr. Chairman, they will require that FERC, the Federal Energy Regulatory Commission, issue a permit for the construction of the Keystone

XL pipeline within 30 days of the receipt of the application.

□ 1540

If FERC does not act on the permit application within the meager 30 days, the permit shall be considered approved automatically.

Mr. Chairman, how insane can insanity get? How ridiculous can ridiculous be when we are telling an agency that if they don’t pass this permit within 30 days, if they don’t do all their investigations within 30 days, then this permit will automatically be approved?

Mr. Chairman, the Keystone XL project is too big, too consequential, too important to the American people for this Congress to completely ignore all the established protocols that have existed prior and exist now and set a precedent of bypassing State and Federal oversight procedures. The very people whose lives will be most affected by this pipeline deserve to have the responsible agencies complete their review process to ensure the American people that this project has been thoroughly examined and vetted.

Mr. Chairman, even my colleagues who may support the merits of the Keystone XL pipeline are appalled—and they should be appalled—at the majority party’s attempt to hijack the process and circumvent the appropriate State and Federal agencies in order to hastily, irresponsibly green-light this project.

This sentiment can be summed up best by a letter sent to me on February 9 by a citizen of this Nation, a Nebraskan rancher by the name of Randy Thomas, who said:

The short circuiting of the process leaves those of us who live and work along the proposed pathway of this project with many lingering doubts about its safety, and the impacts it could have on our livelihoods.

The CHAIR. The time of the gentleman has expired.

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

Mr. RUSH. Mr. Chairman, the American people deserve better than this shoddy attempt to provide TransCanada with a regulatory earmark that allows them to bypass the established rules and procedures we have in place. I cannot support this, and I ask my colleagues to join me in not supporting this particular bill.

Mr. WAXMAN. Mr. Chairman, I yield the gentleman another 30 seconds if he would yield to me for further comment.

The CHAIR. The gentleman from California only has 15 seconds remaining.

Mr. WAXMAN. We heard debate from the other side about refining oil. I think we ought to refine our debate because, on the other side of the aisle, a comment was made that extremists are pushing opposition to this pipeline. From what I heard from Mr. RUSH and what I understand the case to be is that those who ordinarily make this decision should have all the facts, and I don’t think that is an extreme position at all.

I thank the gentleman for yielding to me.

The CHAIR. The time of the gentleman has expired.

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

The CHAIR. The gentleman from Kentucky has 2 minutes.

Mr. WHITFIELD. I yield myself 2 minutes.

Mr. Chairman, we're here today because it's time to decide. President Obama and his administration have made a decision not to decide, even though his own Secretary of State, in their final economic environmental impact statement, made the decision that if you looked at two options—one, build the pipeline, or two, not build the pipeline—the preferable route was to build the pipeline; 1 million more barrels of oil a day coming to America, ultimately. We're facing ever-increasing gasoline prices.

There's only 60 miles at issue at all in this pipeline out of 1,700. Five major labor unions support this pipeline. There's not one dime of Federal dollars in this pipeline, unlike the millions and billions that this administration have given to wind power and solar power and battery companies—many of which are in bankruptcy, just like Solyndra, which received \$538 million from the taxpayers of America. This is a private company willing to put in \$7 billion to bring 100,000 more barrels of oil a day, willing to provide 20,000 additional jobs to construct this pipeline.

So I think the decision here is very easy for the American people, and that's what Mr. TERRY's legislation does. Since the President won't make a decision, Mr. TERRY directs the Federal Energy Regulatory Commission to make the decision. We have all of the data necessary. It's the right decision to make.

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

The CHAIR. The gentleman from Washington is recognized for 1½ minutes.

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

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today to debate the Rules for H.R. 7, "The American Energy and Infrastructure Jobs Act of 2012." I believe the transportation bill should have been an open rule. This bill is not a comprehensive bill. When Congress spends taxpayer dollars, we are accountable for how it is spent. As written, this measure limits federal government oversight and therefore limits accountability.

I believe, a well-functioning transportation system is critical to the Nation's prosperity. Whether it is by road, aviation, or rail we rely on our transportation system to move people and goods safely. A properly functioning transportation infrastructure will facilitate commerce, attract and retain businesses, and support jobs.

Public transportation benefits the economy in several ways. It helps the right people to get to the right jobs, without wasting otherwise productive hours. It allows employers to tap

into various pools of recipients who have no other means of getting to work and it helps customers get to the doors of businesses.

For every dollar we invest in running public transportation systems boosts business sales by another three dollars. A \$10 million investment in building public transportation systems creates more than 300 jobs, and the same amount spent on running them creates nearly 600 more.

Part of the challenge of our transportation system is to ensure that everyone is able to benefit. The GAO would study ways to increase access to the underserved and unrepresented communities, as well as, minority communities. This will help to identify areas that we can work to improve. The GAO would further study how to increase the mobility of the disabled.

Public transportation is important to ensure these communities will not only have access to services, businesses, and the community at large, but will also improve their quality of life.

Public involvement needs to encompass the full range of community interests, yet people underserved by transportation often do not participate. We need to find ways to reach the underserved. They not only have greater difficulty getting to jobs, schools, recreation, and shopping than the population at large, but often they are also unaware of transportation proposals that could dramatically change their lives. Many lack experience with public involvement, even though they have important, unspoken issues that should be heard.

Underserved people include those with special cultural, racial, or ethnic characteristics. Cultural differences sometimes hinder full participation in transportation planning and project development.

People with disabilities find access to transportation more difficult and their ability to participate in public involvement efforts more constrained. People with limited resources often lack both access and time to participate. In addition individuals who have not been adequately educated may not be fully aware either of what transportation services are available or of opportunities to help improve them.

These groups are a rich source of ideas that can improve transportation not only for themselves but also for the entire community. Agencies must assume responsibility for reaching out and including them in the decision-making process—which requires strategic thinking and tailoring public involvement efforts to these communities and their needs. Techniques to reach the underserved are grouped here under two headings:

A thorough study of how this bill will impact cost and jobs. As well as a study on how to improve services to the underserved and under-represented will insure that there is accountability for how we are using government resources.

There is much left to be done in the areas of Transportation in our great Nation. I believe this study is a step in the right direction.

Generally, the same transit agencies operate both rail and a bus system, which improves efficiency by ensuring both Systems complement each other.

For example, transit agencies can design bus routes that collect passengers from outlying neighborhoods and deliver them to rail transit stations.

Congress has always allowed transit systems operating both rail and bus lines to re-

ceive bus and bus facility grants, recognizing that bus and rail lines work as part of a complete transit network in large metropolitan areas and that federal policy should support local and regional efforts to maximize the efficiency of transit service. H.R. 7 would reverse this longstanding federal policy.

In Houston, TX alone, the City operates 1,300 buses and 7 miles of rail. Denying access to these funds to major metropolitan areas does not make sense. Public transportation benefits the economy in several ways. It helps the right people to get to the right jobs, without wasting otherwise productive hours. It allows employers to tap into various pools of recipients who have no other means of getting to work and it helps customers get to the doors of businesses.

In the case of Houston, the light rail system is vital to increase mobility of Houston, Texas' population which is forecasted to grow by an additional 9.4 million people by 2035, a 38.9 percent increase over the projected 2010 levels. The same can be said for many urban areas across our Nation.

Light rail projects and other transportation investments represent the potential to create thousands of jobs, enhanced mobility, and future economic development for the region.

Public transportation is an investment in the truest sense of the word: An outlay today pays out considerable profit down the road. Nationwide, government invests \$15.4 billion in public transportation a year. Public transportation generates upwards of \$60 billion in economic benefits. Public transportation boosts state and local tax revenues by at least 4 percent and as much as 16 percent.

Some 30,000 people work directly for the public transportation industry, which creates thousands more jobs indirectly through fields ranging from engineering to construction.

For every dollar we invest in running public transportation systems boosts business sales by another three dollars. A \$10 million investment in building public transportation systems creates more than 300 jobs, and the same amount spent on running them creates nearly 600 more.

To be sure, public transportation systems are not cheap to build or run; however, public transportation pays for itself several times over. And if a stronger economy is the destination we seek, public transit is the fastest way to get there. These funds could be used to fix buses, bus shelters, and bus facilities.

With the recent uptick in fuel prices more people are opting to ride the bus. In addition, the bus system also is vital resource for the disable and seniors who rely on these services for transportation. The TE program funds projects that build bus shelters. This would encourage even more people to opt for public transportation. Shelters safeguard passengers against the sun, wind, and rain. Texas has heat waves and many other parts of the country have inclement weather. Funding the building of bus shelters may not be a priority for some, but to the people who are standing waiting for the bus it makes a world of difference.

In addition, bus stops are extremely important for people with disabilities. The inaccessibility of bus stops often represents the weak link in the system and can effectively prevent the use of fixed-route service. This can severely hamper bus ridership by disability community, and thereby limit their mobility. Increasing the accessibility of fixed-route service

under the TE program will decrease para-transit costs.

Since 1983, when the Surface Transportation Assistance Act was signed into law, 2.86 cents in motor fuels taxes has been deposited into the Mass Transit Account of the Highway Trust Fund to provide a dedicated stable source of funding for public transportation programs. H.R. 7 eliminates the Mass Transit Account and dedicates that 2.86 cents to highway programs.

The bill moves transit and other public transportation programs into a new "Alternative Transportation Fund," which would be dependent on appropriations from general revenue. Although the bill makes a one-time transfer of \$40 billion into the Alternative Transportation Fund to cover funding for those programs through the life of the bill, there is no guarantee for public transportation funding beyond FY 2016. Such a reality would make it difficult, if not impossible, for transit agencies to develop reliable long-term capital plans, and it would leave the future of the program in doubt.

Public transportation agencies around the country are already struggling to maintain current levels of service and keep the system in a state of good repair. Removing federally guaranteed funding could result in a virtual construction and service freeze, the effects of which would be felt by riders, businesses, contractors, manufacturers and suppliers around the country.

Transit agencies may have to take on more debt in order to finance capital projects, and it could result in increased fares for our constituents.

There is no reason to make such a drastic change in how we finance public transportation. Our amendment would restore the Mass Transit Account of the Highway Trust Fund and the 2.86 cents dedicated funding stream for public transportation programs. It would eliminate the Alternative Trust Fund, make the Highway Trust Fund whole, and allow it to once again fund both highways and mass transit.

#### FAST FACTS

##### HIGHWAY AND TRANSIT BILL (OR SURFACE TRANSPORTATION BILL) (H.R. 7)—IMPACT ON JOBS

**Cuts 550,000 American Jobs.** Cuts investments in highways by \$15.8 billion from current levels. We know that every \$1 billion invested in infrastructure creates an estimated 34,800 jobs. Cuts Highway Investments in 45 states & DC. Reduces highway investments for all but 5 states (Kansas, Maryland, Massachusetts, Nebraska, Wyoming), neglecting the need to fix our bridges and roads.

**Buy America Loopholes.** Continues loopholes that allow surface transportation jobs to be outsourced overseas, and fails to extend Buy America protections to all Federal surface transportation programs.

**Unstable Funding.** The non-partisan Congressional Budget Office reported that the GOP bill would bankrupt the Highway trust fund by 2016—creating a \$78 billion shortfall over 10 years and jeopardizing critical transportation projects and American jobs. Boehner argue the bill doesn't create jobs. Speaker John A. Boehner made the unusual argument that spending money on highway projects under the bill would not create jobs. "We are not making the claim that spending taxpayer money on transportation projects creates jobs."

#### OTHER TRANSPORTATION ISSUES

**Undermines Safety.** Cuts National Highway Traffic Safety Administration grants, allows companies with poor safety records to be exempted from hazardous material safety requirements, delays the deadline for installing new train systems to automatically prevent train collisions and derailments for passenger rail from December 31, 2015 to December 31, 2020 and eliminates worker safety for hazmat workers.

**Kills Public Transit.** Eliminates all of the dedicated funding for public transportation, leaving millions of riders already faced with service cuts and fare increases out in the cold. The bill stops the highway user fee revenues for transit, so that transit will compete with other priorities in the budget. These provisions are opposed by 600 groups—including National League of Cities, National Association of Counties, American Public Transportation Association, League of Conservation Voters, U.S. Steelworkers, U.S. PIRG, and Chamber of Commerce. The bill also fails to provide flexibility to transit systems to use Federal funds to maintain service and transit worker jobs at times of economic crisis. Mandates Privatization in Public Transit & Highways. Incentivizes transit agencies to contract out their bus services, makes private entities eligible to receive Federal Transit Administration (FTA) grants, and mandates private sector participation in local transit planning and for engineering and design services on Federal-aid highway projects.

**Jeopardizes Efforts to Make Streets and Roads Safer for Children, Pedestrians, and Bikes.** Eliminates efforts to help underwrite local bike paths, bike lanes and pedestrian safety projects, including the Safe Routes to School program. Weakens Environmental, Public Health, and Safety Protections. Includes sweeping changes that undermine local community involvement and environmental protection in transportation project development, such as delegating environmental and safety reviews—including whether they should be conducted—entirely to state highway agencies, imposing arbitrary deadlines for completing or challenging reviews regardless of project size, and waiving environmental reviews for all projects where the Federal share of the costs is less than \$10 million or 15 percent of the total project cost regardless of the scope of the project.

**Hurts Amtrak.** Reduces funding for Amtrak by \$308 million, abrogates labor contracts between Amtrak and its food and beverage workers likely costing 2,000 union jobs, and prevents Amtrak from using Federal funds to hire outside counsel to file a lawsuit or defend itself against a passenger rail operator.

#### FEDERAL RETIREMENT (H.R. 3813)

**Cutting Federal Retirement.** In an effort to finance the highway bill, the package includes extraneous provisions that take \$44 billion out of the pockets of the middle-class—who have already suffered through a pay freeze for 2 years, which contributed approximately \$60 billion to deficit reduction. Raising Worker Contributions. Increases the retirement contribution from current federal workers by 1.5 percent. New federal workers would be forced to contribute 3.2 percent more for an annuity that is 40 percent less than existing benefits—with the retirement based on the high five years of salary, instead of the high three years. Changing Benefits Already Earned.

Eliminates the annuity supplement payment for federal employees who retire before age 62, throwing into chaos the longstanding retirement plans of middle-class workers who relied on the promise of this benefit and dedicated decades of service to our country. Even the conservative American Enterprise Institute has said, "Benefits already accrued should not be altered. Those benefits have been promised and earned, and the obligation to pay them should be honored."

**Role of Federal Workers.** Federal workers support our troops in the battlefield and provide care upon their return, protect our borders, safeguard our food supply, make sure seniors get their Social Security checks, and help hunt down Osama Bin Laden.

**Opposition.** Opposed by American Federation of Government Employees, National Active and Retired Federal Employees Association, National Treasury Employees Union, National Federation of Federal Employees, National Association of Government Employees, International Federation of Professional and Technical Engineers, National Association of Assistant U.S. Attorneys, and Federal Managers Association.

Further, I believe that more should be done for small businesses owned by women and minorities. It is a shame that the numbers of women and minority owned business competing for these contracts has been decreasing every year. We must reinforce our commitment to women and minority owned business.

The Department of Transportation's DBE program aims to increase participation of small businesses owned and controlled by socially and economically disadvantaged individuals.

Enhanced oversight is critical to ensuring that the objectives of the DBE program are achieved and federal funds are spent appropriately. But the current program lacks a mechanism to enforce that committed spending for DBEs reflects actual spending.

The October 2011 report by GAO highlights both DOT's need for increased oversight and the lack of clarity in determining whether both committed and actual spending are meeting the goals of the DBE program.

Two things need to be addressed to help the DBE program: increased oversight, and the ability to enforce the DBE program requirements.

The program lacks the necessary "teeth," its requirements are often flaunted to the detriment of small business owners.

I believe the Secretary of the Department of Transportation should be required to issue regulations providing for strengthening oversight, enforcement, and compliance with DBE spending requirements.

I have offered a bill, H.R. 3710—Deficit Reduction, Job Creation, and Energy Security Act, that I firmly believe will increase jobs, decrease our deficit, and will be great for our economy.

H.R. 3710 will direct the Secretary of Interior to increase the total lease acreage set forth in the proposed Outer Continental Shelf Oil & Gas leasing program for 2012–2017 by an additional 10 percent. This 10 percent increase shall be known as the Deficit Reduction Acreage. As such, the Secretary shall lease 20 percent of the Deficit Reduction Acreage each year from 2012–2017. All proceeds from the Deficit Reduction Acreage shall be deposited into the Deficit Reduction Energy Security Fund.

For 15 years after issuance of the first lease or receipt of the first payment coming from the Deficit Reduction Energy Security Fund, all proceeds shall be deposited into an interest bearing account for a period of 2 years. Upon expiration of the 2 year period, these proceeds shall be distributed as follows:

The interest gained during 2 year period shall be placed in the Coastal and Ocean Sustainability and Health Fund (COSH); and

The principle from the Deficit Reduction Energy Security Fund shall be deposited into the US Treasury and applied directly toward Deficit Reduction.

The COSH fund will establish grants for states (Coastal and Disaster Grant Program and a National Grant Program) for addressing coastal and ocean disasters, restoration, protection, and maintenance of coastal areas and oceans, including research and programs in coordination with state and local agencies.

Additionally, the Deficit Reduction and Energy Security Act establishes an Office of Onshore and Offshore Energy Employment and Training, and an Office of Minority and Women Inclusion. CBO has estimated that this amendment is outside of the 10 year budgetary window, so there is no score.

I think we must carefully consider the bill that I propose. And again I reiterate the importance of having an open rule for the Surface Transportation Reauthorization to ensure that all Members of this Body have an opportunity to address their concerns with this bill.

Ms. DEGETTE. Mr. Chair, today I rise in strong opposition to the so-called Protecting Investment in Oil Shale the Next Generation of Environmental, Energy and Resource Security Act, which is purported to help finance the transportation bill.

I agree with my colleagues' concerns about the Keystone XL pipeline provision that forces the Federal Energy Regulatory Commission to approve the project. The permitting process for Keystone XL has become a political spin war and I urge my colleagues to oppose my colleague from Nebraska's proposal. We should allow the original permitting process to be completed fairly and without interference.

However, I come to the Floor today to talk about another huge problem with the oil shale provisions: CBO estimates they would have no significant net impact on the federal budget from 2012–2022.

Oil shale has yet to be produced in commercial quantities despite 100 years of research and development. The oil shale provisions found in H.R. 3408 are being promoted by the Majority as a funding mechanism for the surface transportation reauthorization package despite the fact that the Congressional Budget Office last week concluded that opening up 2 million acres in Colorado, Utah and Wyoming for oil shale speculation would generate negligible revenue over the next decade.

Speculators have swept through Colorado throughout our state's history to try and make a quick buck off oil shale. The last time around, in the early 1980s, Federal legislation much like H.R. 3408 ushered in a boom-bust cycle that devastated communities on the Western Slope when it became clear production was not profitable. 85 million dollars in annual payroll disappeared in Garfield and Mesa counties over two years.

Oil shale is still not commercially viable—in fact, Shell Corporation estimates it could be

2020 before a company could be ready to develop a Federal oil shale lease.

We need real solutions for funding our nation's crumbling transportation infrastructure. Using H.R. 3408 as a funding source for the surface transportation reauthorization is not a good faith effort to create the jobs Americans so desperately need.

Mr. Chair, I hope every member of Congress realizes what an economic mistake H.R. 3408 is. I urge every member to oppose the PIONEERS Act and to support the amendment to strike all oil shale provisions.

The CHAIR. All time for general debate has expired.

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

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, an amendment in the nature of a substitute consisting of the text of titles XIV and XVII of Rules Committee print 112–14 shall be considered as 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 read.

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

H.R. 3408

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

#### TITLE XIV—KEYSTONE XL PIPELINE

##### SEC. 14001. SHORT TITLE.

*This title may be cited as the “North American Energy Access Act”.*

##### SEC. 14002. RESTRICTION.

(a) *IN GENERAL.*—No person may construct, operate, or maintain the oil pipeline and related facilities described in subsection (b) except in accordance with a permit issued under this title.

(b) *PIPELINE.*—The pipeline and related facilities referred to in subsection (a) are those described in the Final Environmental Impact Statement for the Keystone XL Pipeline Project issued by the Department of State on August 26, 2011, including any modified version of that pipeline and related facilities.

##### SEC. 14003. PERMIT.

(a) *ISSUANCE.*—

(1) *BY FERC.*—The Federal Energy Regulatory Commission shall, not later than 30 days after receipt of an application therefor, issue a permit without additional conditions for the construction, operation, and maintenance of the oil pipeline and related facilities described in section 14002(b), to be implemented in accordance with the terms of the Final Environmental Impact Statement described in section 14002(b). The Commission shall not be required to prepare a Record of Decision under section 1505.2 of title 40 of the Code of Federal Regulations with respect to issuance of the permit provided for in this section.

(2) *ISSUANCE IN ABSENCE OF FERC ACTION.*—If the Federal Energy Regulatory Commission has not acted on an application for a permit described in paragraph (1) within 30 days after receiving such application, the permit shall be deemed to have been issued under this title upon the expiration of such 30-day period.

(b) *MODIFICATION.*—

(1) *IN GENERAL.*—The applicant for or holder of a permit described in subsection (a) may make a substantial modification to the pipeline route or any other term of the Final Environmental Impact Statement described in section 14002(b) only with the approval of the Federal Energy

Regulatory Commission. The Commission shall expedite consideration of any such modification proposal.

(2) *NEBRASKA MODIFICATION.*—Within 30 days after the date of enactment of this Act, the Federal Energy Regulatory Commission shall enter into a memorandum of understanding with the State of Nebraska for an effective and timely review under the National Environmental Policy Act of 1969 of any modification to the proposed pipeline route in Nebraska as proposed by the applicant for the permit described in subsection (a). Not later than 30 days after receiving approval of such proposed modification from the Governor of Nebraska, the Commission shall complete consideration of and approve such modification.

(3) *ISSUANCE IN ABSENCE OF FERC ACTION.*—If the Federal Energy Regulatory Commission has not acted on an application for approval of a modification described in paragraph (2) within 30 days after receiving such application, such modification shall be deemed to have been issued under this title upon expiration of the 30-day period.

(4) *CONSTRUCTION DURING CONSIDERATION OF NEBRASKA MODIFICATION.*—While any modification of the proposed pipeline route in Nebraska is under consideration pursuant to paragraph (2), the holder of the permit issued under subsection (a) may commence or continue with construction of any portion of the pipeline and related facilities described in section 14002(b) that is not within the State of Nebraska.

(c) *NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.*—Except for actions taken under subsection (b)(1), the actions taken pursuant to this title shall be taken without further action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

#### SEC. 14004. RELATION TO OTHER LAW.

(a) *GENERAL RULE.*—Notwithstanding Executive Order 13337 (3 U.S.C. 301 note), Executive Order 11423 (3 U.S.C. 301 note), section 301 of title 3, United States Code, and any other Executive Order or provision of law, no presidential permits shall be required for the construction, operation, and maintenance of the pipeline and related facilities described in section 14002(b) of this Act.

(b) *APPLICABILITY.*—Nothing in this title shall affect the application to the pipeline and related facilities described in section 14002(b) of—

(1) chapter 601 of title 49, United States Code; or

(2) the authority of the Federal Energy Regulatory Commission to regulate oil pipeline rates and services.

(c) *FINAL ENVIRONMENTAL IMPACT STATEMENT.*—The final environmental impact statement issued by the Secretary of State on August 26, 2011, shall be considered to satisfy all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

#### TITLE XVII—NATURAL RESOURCES

##### Subtitle A—Oil Shale Leasing

##### SEC. 17001. SHORT TITLE.

*This subtitle may be cited as the “Protecting Investment in Oil Shale the Next Generation of Environmental, Energy, and Resource Security Act” or the “PIONEERS Act”.*

##### SEC. 17002. EFFECTIVENESS OF OIL SHALE REGULATIONS, AMENDMENTS TO RESOURCE MANAGEMENT PLANS, AND RECORD OF DECISION.

(a) *REGULATIONS.*—Notwithstanding any other law or regulation to the contrary, the final regulations regarding oil shale management published by the Bureau of Land Management on November 18, 2008 (73 Fed. Reg. 69,414) are deemed to satisfy all legal and procedural requirements under any law, including the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Environmental Policy Act of 1969 (42 U.S.C. 4321

et seq.), and the Energy Policy Act of 2005 (Public Law 109-58), and the Secretary of the Interior shall implement those regulations, including the oil shale leasing program authorized by the regulations, without any other administrative action necessary.

(b) AMENDMENTS TO RESOURCE MANAGEMENT PLANS AND RECORD OF DECISION.—Notwithstanding any other law or regulation to the contrary, the November 17, 2008 U.S. Bureau of Land Management Approved Resource Management Plan Amendments/Record of Decision for Oil Shale and Tar Sands Resources to Address Land Use Allocations in Colorado, Utah, and Wyoming and Final Programmatic Environmental Impact Statement are deemed to satisfy all legal and procedural requirements under any law, including the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and the Energy Policy Act of 2005 (Public Law 109-58), and the Secretary of the Interior shall implement the oil shale leasing program authorized by the regulations referred to in subsection (a) in those areas covered by the resource management plans amended by such amendments, and covered by such record of decision, without any other administrative action necessary.

#### SEC. 17003. OIL SHALE LEASING.

(a) ADDITIONAL RESEARCH AND DEVELOPMENT LEASE SALES.—The Secretary of the Interior shall hold a lease sale within 180 days after the date of enactment of this Act offering an additional 10 parcels for lease for research, development, and demonstration of oil shale resources, under the terms offered in the solicitation of bids for such leases published on January 15, 2009 (74 Fed. Reg. 10).

(b) COMMERCIAL LEASE SALES.—No later than January 1, 2016, the Secretary of the Interior shall hold no less than 5 separate commercial lease sales in areas considered to have the most potential for oil shale development, as determined by the Secretary, in areas nominated through public comment. Each lease sale shall be for an area of not less than 25,000 acres, and in multiple lease blocks.

#### SEC. 17004. POLICIES REGARDING BUYING, BUILDING, AND WORKING FOR AMERICA.

(a) CONGRESSIONAL INTENT.—It is the intent of the Congress that—

(1) this subtitle will support a healthy and growing United States domestic energy sector that, in turn, helps to reinvigorate American manufacturing, transportation, and service sectors by employing the vast talents of United States workers to assist in the development of energy from domestic sources;

(2) to ensure a robust oil shale industry and ensure that the benefits of development support local communities, under this subtitle, the Secretary of the Interior shall make every effort to promote the development of oil shale in a manner that will support the long-term commercial development of oil shale, and shall take into consideration the socioeconomic impacts, infrastructure requirements, and fiscal stability for local communities located within areas containing oil shale resources; and

(3) the Congress will monitor the deployment of personnel and material onshore to encourage the development of American technology and manufacturing to enable United States workers to benefit from this subtitle through good jobs and careers, as well as the establishment of important industrial facilities to support expanded access to American resources.

(b) REQUIREMENT.—The Secretary of the Interior shall when possible, and practicable, encourage the use of United States workers and equipment manufactured in the United States in all construction related to mineral resource development under this subtitle.

### Subtitle B—Offshore Oil and Gas Leasing

#### SEC. 17101. SHORT TITLE.

This subtitle may be cited as the “Energy Security and Transportation Jobs Act”.

#### PART 1—EXPANDING OFFSHORE ENERGY DEVELOPMENT

##### SEC. 17201. OUTER CONTINENTAL SHELF LEASING PROGRAM.

Section 18(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1344(a)) is amended by adding at the end the following:

“(5)(A) In each oil and gas leasing program under this section, the Secretary shall make available for leasing and conduct lease sales including—

“(i) at least 50 percent of the available unleased acreage within each outer Continental Shelf planning area considered to have the largest undiscovered, technically recoverable oil and gas resources (on a total btu basis) based upon the most recent national geologic assessment of the outer Continental Shelf, with an emphasis on offering the most geologically prospective parts of the planning area; and

“(ii) any State subdivision of an outer Continental Shelf planning area that the Governor of the State that represents that subdivision requests be made available for leasing.

“(B) In this paragraph the term ‘available unleased acreage’ means that portion of the outer Continental Shelf that is not under lease at the time of a proposed lease sale, and that has not otherwise been made unavailable for leasing by law.

“(6)(A) In the 2012–2017 5-year oil and gas leasing program, the Secretary shall make available for leasing any outer Continental Shelf planning areas that—

“(i) are estimated to contain more than 2,500,000,000 barrels of oil; or

“(ii) are estimated to contain more than 7,500,000,000,000 cubic feet of natural gas.

“(B) To determine the planning areas described in subparagraph (A), the Secretary shall use the document entitled ‘Minerals Management Service Assessment of Undiscovered Technically Recoverable Oil and Gas Resources of the Nation’s Outer Continental Shelf, 2006’.”

##### SEC. 17202. DOMESTIC OIL AND NATURAL GAS PRODUCTION GOAL.

Section 18(b) of the Outer Continental Shelf Lands Act (43 U.S.C. 1344(b)) is amended to read as follows:

“(b) DOMESTIC OIL AND NATURAL GAS PRODUCTION GOAL.—

“(1) IN GENERAL.—In developing a 5-year oil and gas leasing program, and subject to paragraph (2), the Secretary shall determine a domestic strategic production goal for the development of oil and natural gas as a result of that program. Such goal shall be—

“(A) the best estimate of the possible increase in domestic production of oil and natural gas from the outer Continental Shelf;

“(B) focused on meeting domestic demand for oil and natural gas and reducing the dependence of the United States on foreign energy; and

“(C) focused on the production increases achieved by the leasing program at the end of the 15-year period beginning on the effective date of the program.

“(2) 2012–2017 PROGRAM GOAL.—For purposes of the 2012–2017 5-year oil and gas leasing program, the production goal referred to in paragraph (1) shall be an increase by 2027, from the levels of oil and gas produced as of the date of enactment of this paragraph, of—

“(A) no less than 3,000,000 barrels in the amount of oil produced per day; and

“(B) no less than 10,000,000,000 cubic feet in the amount of natural gas produced per day.

“(3) REPORTING.—The Secretary shall report annually, beginning at the end of the 5-year period for which the program applies, to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the

progress of the program in meeting the production goal. The Secretary shall identify in the report projections for production and any problems with leasing, permitting, or production that will prevent meeting the goal.”

#### PART 2—CONDUCTING PROMPT OFFSHORE LEASE SALES

##### SEC. 17301. REQUIREMENT TO CONDUCT PROPOSED OIL AND GAS LEASE SALE 216 IN THE CENTRAL GULF OF MEXICO.

(a) IN GENERAL.—The Secretary of the Interior shall conduct offshore oil and gas Lease Sale 216 under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) as soon as practicable, but not later than 4 months after the date of enactment of this Act.

(b) ENVIRONMENTAL REVIEW.—For the purposes of that lease sale, the Environmental Impact Statement for the 2007–2012 5 Year Outer Continental Shelf Plan and the Multi-Sale Environmental Impact Statement are deemed to satisfy the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

##### SEC. 17302. REQUIREMENT TO CONDUCT PROPOSED OIL AND GAS LEASE SALE 220 ON THE OUTER CONTINENTAL SHELF OFFSHORE VIRGINIA.

(a) IN GENERAL.—Notwithstanding the inclusion of Lease Sale 220 in the Proposed Outer Continental Shelf Oil & Gas Leasing Program 2012–2017, the Secretary shall conduct offshore oil and gas Lease Sale 220 under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) as soon as practicable, but not later than one year after the date of enactment of this Act.

(b) REQUIREMENT TO MAKE REPLACEMENT LEASE BLOCKS AVAILABLE.—

(1) IN GENERAL.—For each lease block in a proposed lease sale under this section for which the Secretary of Defense, in consultation with the Secretary of the Interior, under the Memorandum of Agreement referred to in subsection (c)(2), issues a statement proposing deferral from a lease offering due to defense-related activities that are irreconcilable with mineral exploration and development, the Secretary of the Interior, in consultation with the Secretary of Defense, shall make available in the same lease sale two other lease blocks in the Virginia lease sale planning area that are acceptable for oil and gas exploration and production in order to mitigate conflict.

(2) VIRGINIA LEASE SALE PLANNING AREA DEFINED.—In this subsection the term “Virginia lease sale planning area” means the area of the outer Continental Shelf (as that term is defined in the Outer Continental Shelf Lands Act (33 U.S.C. 1331 et seq.)) that is bounded by—

(A) a northern boundary consisting of a straight line extending from the northernmost point of Virginia’s seaward boundary to the point on the seaward boundary of the United States exclusive economic zone located at 37 degrees 17 minutes 1 second North latitude, 71 degrees 5 minutes 16 seconds West longitude; and

(B) a southern boundary consisting of a straight line extending from the southernmost point of Virginia’s seaward boundary to the point on the seaward boundary of the United States exclusive economic zone located at 36 degrees 31 minutes 58 seconds North latitude, 71 degrees 30 minutes 1 second West longitude.

(c) BALANCING MILITARY AND ENERGY PRODUCTION GOALS.—

(1) JOINT GOALS.—In recognition that the Outer Continental Shelf oil and gas leasing program and the domestic energy resources produced therefrom are integral to national security, the Secretary of the Interior and the Secretary of Defense shall work jointly in implementing this section in order to ensure achievement of the following common goals:

(A) Preserving the ability of the Armed Forces of the United States to maintain an optimum state of readiness through their continued use of the Outer Continental Shelf.

(B) Allowing effective exploration, development, and production of our Nation's oil, gas, and renewable energy resources.

(2) **PROHIBITION ON CONFLICTS WITH MILITARY OPERATIONS.**—No person may engage in any exploration, development, or production of oil or natural gas off the coast of Virginia that would conflict with any military operation, as determined in accordance with the Memorandum of Agreement between the Department of Defense and the Department of the Interior on Mutual Concerns on the Outer Continental Shelf signed July 20, 1983, and any revision or replacement for that agreement that is agreed to by the Secretary of Defense and the Secretary of the Interior after that date but before the date of issuance of the lease under which such exploration, development, or production is conducted.

**SEC. 17303. REQUIREMENT TO CONDUCT OIL AND GAS LEASE SALE 222 IN THE CENTRAL GULF OF MEXICO.**

(a) **IN GENERAL.**—The Secretary shall conduct offshore oil and gas Lease Sale 222 under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) by as soon as practicable, but not later than September 1, 2012.

(b) **ENVIRONMENTAL REVIEW.**—For the purposes of that lease sale, the Environmental Impact Statement for the 2007–2012 5 Year Outer Continental Shelf Plan and the Multi-Sale Environmental Impact Statement are deemed to satisfy the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

**SEC. 17304. LEASE SALE OFFSHORE CALIFORNIA WITH NO NEW OFFSHORE IMPACT.**

(a) **SOUTHERN CALIFORNIA LEASE SALE.**—The Secretary shall offer for sale leases of tracts in the Southern California Planning Area in the Santa Maria and Santa Barbara/Ventura Basins in accordance with section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) as soon as practicable, but not later than July 1, 2014.

(b) **USE OF EXISTING STRUCTURES OR ONSHORE-BASED DRILLING.**—Leases offered for sale under this section shall include such terms and conditions as are necessary to require that development and production may occur only from existing offshore infrastructure or from onshore-based drilling.

(c) **RELATIONSHIP TO LEASING PROGRAM.**—Areas shall be offered for lease under this section notwithstanding the omission of the Southern California Planning Area from any outer Continental Shelf leasing program under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344).

(d) **RELATIONSHIP TO STATE COASTAL ZONE MANAGEMENT PROGRAM.**—Section 307(c) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456(c)) shall not apply to lease sales under this section and activities conducted under leases issued in such sales, including exploration, development, and production.

(e) **ENVIRONMENTAL IMPACT STATEMENT REQUIREMENT.**—

(1) **IN GENERAL.**—Before conducting the first lease sale under this section, the Secretary shall prepare an environmental impact statement for the lease sales required under this section, under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

(2) **ACTIONS TO BE CONSIDERED.**—

(A) **IN GENERAL.**—Notwithstanding section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332), in such statement—

(i) the Secretary is not required to identify nonleasing alternative courses of action or to analyze the environmental effects of such alternative courses of action; and

(ii) the Secretary shall only—

(I) identify a preferred action for leasing and not more than one alternative leasing proposal; and

(II) analyze the environmental effects and potential mitigation measures for such preferred action and such alternative leasing proposal.

(B) **DEADLINE.**—The identification of the preferred action and related analysis for the first lease sale under this subtitle shall be completed within 18 months after the date of enactment of this Act.

(3) **CONSIDERATION OF PUBLIC COMMENTS.**—In preparing such statement, the Secretary shall only consider public comments that specifically address the Secretary's preferred action and that are filed within 20 days after publication of an environmental analysis.

(4) **COMPLIANCE.**—Compliance with this subsection is deemed to satisfy all requirements for the analysis and consideration of the environmental effects of proposed leasing under this section.

**SEC. 17305. REQUIREMENT TO CONDUCT OIL AND GAS LEASE SALE 214 IN THE NORTH ALEUTIAN BASIN OFFSHORE ALASKA.**

(a) **IN GENERAL.**—The Secretary of the Interior shall conduct the lease sale formerly known as Lease Sale 214, for the tracts located in the North Aleutian Basin Outer Continental Shelf Planning Area, not later than 1 year after the date of enactment of this Act.

(b) **RELATIONSHIP TO LEASING PROGRAM.**—Areas shall be offered for lease under this section notwithstanding inclusion of areas referred to in subsection (a) in the Proposed Outer Continental Shelf Oil & Gas Leasing Program 2012–2017.

**SEC. 17306. ADDITIONAL LEASES.**

Section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) is amended by adding at the end the following:

“(i) **ADDITIONAL LEASE SALES.**—In addition to lease sales in accordance with a leasing program in effect under this section, the Secretary may hold lease sales for areas identified by the Secretary to have the greatest potential for new oil and gas development as a result of local support, new seismic findings, or nomination by interested persons.”

**SEC. 17307. DEFINITIONS.**

In this part:

(1) The term “Environmental Impact Statement for the 2007–2012 5 Year Outer Continental Shelf Plan” means the Final Environmental Impact Statement for Outer Continental Shelf Oil and Gas Leasing Program: 2007–2012 (April 2007) prepared by the Secretary.

(2) The term “Multi-Sale Environmental Impact Statement” means the Environmental Impact Statement for Proposed Western Gulf of Mexico Outer Continental Shelf Oil and Gas Lease Sales 204, 207, 210, 215, and 218, and Proposed Central Gulf of Mexico Outer Continental Shelf Oil and Gas Lease Sales 205, 206, 208, 213, 216, and 222 (September 2008) prepared by the Secretary.

(3) The term “Secretary” means the Secretary of the Interior.

### **PART 3—LEASING IN NEW OFFSHORE AREAS**

**SEC. 17401. LEASING IN THE EASTERN GULF OF MEXICO.**

Section 104 of division C of the Tax Relief and Health Care Act of 2006 (Public Law 109–432; 120 Stat. 3003) is repealed.

**SEC. 17402. REFORMING OIL AND GAS LEASING IN THE EASTERN GULF OF MEXICO.**

(a) **REFORMING ADMINISTRATIVE BOUNDARIES.**—Effective July 1, 2012, for purposes of administering the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) the boundary between the Central Gulf of Mexico Outer Continental Shelf Planning Area and the Eastern Gulf of Mexico Outer Continental Shelf Planning Area shall be 86 degrees, 41 minutes west longitude.

(b) **EXTENDING THE MORATORIUM.**—Effective during the period beginning on the date of enactment of this Act and ending June 30, 2025, the Secretary of the Interior shall not offer for leasing, preleasing, or any related activity any area in the Eastern Gulf of Mexico Outer Conti-

ental Shelf Planning Area except as required under subsection (c).

(c) **LIMITED NEW LEASING IN THE EASTERN GULF OF MEXICO.**—

(1) **IN GENERAL.**—Notwithstanding the Proposed Outer Continental Shelf Oil & Gas Leasing Program 2012–2017, the Secretary shall conduct planning and leasing for one lease sale in the Eastern Gulf of Mexico Outer Continental Shelf Planning Area in each of 2013, 2014, and 2015. Each lease sale shall only consist of 50 contiguous Outer Continental Shelf lease blocks in those areas the Secretary considers to have the greatest potential for oil and gas after issuing a request for, receiving, and considering public comment. In reviewing potential areas for such leasing, the Secretary shall focus on those areas for which there are known quantities of hydrocarbons that can be conventionally produced using existing or reasonably foreseeable technology, and for which oil and gas exploration, development, production, and marketing could be carried out in an expeditious manner.

(2) **LEASE CONDITIONS.**—In addition to such requirements as otherwise apply, each lease sale under this subsection shall be subject to the following:

(A) The Secretary may include limits on permanent surface occupancy on any lease block if surface occupancy is incompatible with military operations.

(B) The Secretary may include limits on drilling schedules and surface occupancy to accommodate defense activities on a short-term or seasonal basis. Such limits shall be treated as administrative suspensions of a lease term.

(C) The Secretary may limit permanent surface infrastructure on any Outer Continental Shelf lease block that is closer than 12 nautical miles to the coast of any State, unless that infrastructure is approved by the State.

(d) **REQUIREMENT TO MAKE REPLACEMENT LEASE BLOCKS AVAILABLE.**—For each lease block in a proposed lease sale under this section for which the Secretary of Defense, in consultation with the Secretary of the Interior, under the Memorandum of Agreement referred to in subsection (e)(2) issues a statement proposing deferral from a lease offering due to defense-related activities that are irreconcilable with mineral exploration and development, the Secretary of the Interior, in consultation with the Secretary of Defense, shall make available in the same lease sale two other lease blocks in the same Outer Continental Shelf planning area that are acceptable for oil and gas exploration and production in order to mitigate conflict.

(e) **BALANCING MILITARY AND ENERGY PRODUCTION GOALS.**—

(1) **JOINT GOALS.**—In recognition that the Outer Continental Shelf oil and gas leasing program and the domestic energy resources produced therefrom are integral to national security, the Secretary of the Interior and the Secretary of Defense shall work jointly in implementing this section in order to ensure achievement of the goals of—

(A) preserving the ability of the Armed Forces of the United States to maintain an optimum state of readiness through their continued use of the Outer Continental Shelf; and

(B) allowing effective exploration, development, and production of our Nation's oil, gas, and renewable energy resources.

(C) recognizing the Outer Continental Shelf oil and gas leasing program is an integral part of the Nation's energy security program to develop domestic oil and gas resources.

(2) **PROHIBITION ON CONFLICTS WITH MILITARY OPERATIONS.**—No person may engage in any exploration, development, or production of oil or natural gas in the Eastern Gulf of Mexico Outer Continental Shelf Planning Area that would conflict with any military operation, as determined in accordance with the Memorandum of Agreement between the Department of Defense and the Department of the Interior on Mutual Concerns on the Outer Continental Shelf signed

July 20, 1983, and any revision or replacement for that agreement that is agreed to by the Secretary of Defense and the Secretary of the Interior after that date but before the date of issuance of the lease under which such exploration, development, or production is conducted.

**SEC. 17403. AREAS ADDED TO CENTRAL GULF OF MEXICO PLANNING AREA.**

The Secretary shall conduct an offshore oil and gas lease sale under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) for the areas added to the Central Gulf of Mexico Outer Continental Shelf Planning Area as a result of the enactment of section 17402(a) as soon as practicable, but not later than the first lease sale under such section after the date of the enactment of this Act in which any area in such planning area is made available for leasing.

**SEC. 17404. APPLICATION OF OUTER CONTINENTAL SHELF LANDS ACT WITH RESPECT TO TERRITORIES OF THE UNITED STATES.**

Section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331) is amended—

(1) in paragraph (a), by inserting after “control” the following: “or lying within the United States’ exclusive economic zone and the Continental Shelf adjacent to any territory of the United States”; and

(2) in paragraph (p), by striking “and” after the semicolon at the end;

(3) in paragraph (q), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:

“(r) The term ‘State’ includes each territory of the United States.”

**PART 4—OUTER CONTINENTAL SHELF REVENUE SHARING**

**SEC. 17501. DISPOSITION OF OUTER CONTINENTAL SHELF REVENUES TO COASTAL STATES.**

(A) IN GENERAL.—Section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) is amended—

(1) in the existing text—

(A) in the first sentence, by striking “All rentals,” and inserting the following:

“(c) DISPOSITION OF REVENUE UNDER OLD LEASES.—All rentals,”; and

(B) in subsection (c) (as designated by the amendment made by subparagraph (A) of this paragraph), by striking “for the period from June 5, 1950, to date, and thereafter” and inserting “in the period beginning June 5, 1950, and ending on the date of enactment of the Energy Security and Transportation Jobs Act”;

(2) by adding after subsection (c) (as so designated) the following:

“(d) DEFINITIONS.—In this section:

“(1) COASTAL STATE.—The term ‘coastal State’ includes a territory of the United States.

“(2) NEW LEASING REVENUES.—The term ‘new leasing revenues’—

“(A) means amounts received by the United States as bonuses, rents, and royalties under leases for oil and gas, wind, tidal, or other energy exploration, development, and production on areas of the outer Continental Shelf that are authorized to be made available for leasing as a result of enactment of the Energy Security and Transportation Jobs Act; and

“(B) does not include amounts received by the United States under any lease of an area located in the boundaries of the Central Gulf of Mexico and Western Gulf of Mexico Outer Continental Shelf Planning Areas on the date of the enactment of the Energy Security and Transportation Jobs Act, including a lease issued before, on, or after such date of enactment.”; and

(3) by inserting before subsection (c) (as so designated) the following:

“(a) PAYMENT OF NEW LEASING REVENUES TO COASTAL STATES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), of the amount of new leasing revenues received by the United States each fiscal year, 37.5 percent shall be allocated and paid in

accordance with subsection (b) to coastal States that are affected States with respect to the leases under which those revenues are received by the United States.

“(2) PHASE-IN.—Paragraph (1) shall be applied—

“(A) with respect to new leasing revenues under leases awarded under the first leasing program under section 18(a) that takes effect after the date of enactment of the Energy Security and Transportation Jobs Act, by substituting ‘12.5 percent’ for ‘37.5 percent’; and

“(B) with respect to new leasing revenues under leases awarded under the second leasing program under section 18(a) that takes effect after the date of enactment of the Energy Security and Transportation Jobs Act, by substituting ‘25 percent’ for ‘37.5 percent’.

“(b) ALLOCATION OF PAYMENTS.—

“(1) IN GENERAL.—The amount of new leasing revenues received by the United States with respect to a leased tract that are required to be paid to coastal States in accordance with this subsection each fiscal year shall be allocated among and paid to coastal States that are within 200 miles of the leased tract, in amounts that are inversely proportional to the respective distances between the point on the coastline of each such State that is closest to the geographic center of the lease tract, as determined by the Secretary.

“(2) MINIMUM AND MAXIMUM ALLOCATION.—The amount allocated to a coastal State under paragraph (1) each fiscal year with respect to a leased tract shall be—

“(A) in the case of a coastal State that is the nearest State to the geographic center of the leased tract, not less than 25 percent of the total amounts allocated with respect to the leased tract;

“(B) in the case of any other coastal State, not less than 10 percent, and not more than 15 percent, of the total amounts allocated with respect to the leased tract; and

“(C) in the case of a coastal State that is the only coastal State within 200 miles of a least tract, 100 percent of the total amounts allocated with respect to the leased tract.

“(3) ADMINISTRATION.—Amounts allocated to a coastal State under this subsection—

“(A) shall be available to the coastal State without further appropriation;

“(B) shall remain available until expended; and

“(C) shall be in addition to any other amounts available to the coastal State under this Act.

“(4) USE OF FUNDS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), a coastal State may use funds allocated and paid to it under this subsection for any purpose as determined by the laws of that State.

“(B) RESTRICTION ON USE FOR MATCHING.—Funds allocated and paid to a coastal State under this subsection may not be used as matching funds for any other Federal program.”

(b) LIMITATION ON APPLICATION.—This section and the amendment made by this section shall not affect the application of section 105 of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109-432; (43 U.S.C. 1331 note)), as in effect before the enactment of this Act, with respect to revenues received by the United States under oil and gas leases issued for tracts located in the Western and Central Gulf of Mexico Outer Continental Shelf Planning Areas, including such leases issued on or after the date of the enactment of this Act.

**PART 5—MISCELLANEOUS PROVISIONS**

**SEC. 17601. POLICIES REGARDING BUYING, BUILDING, AND WORKING FOR AMERICA.**

(a) CONGRESSIONAL INTENT.—It is the intent of the Congress that—

(1) this subtitle will support a healthy and growing United States domestic energy sector

that, in turn, helps to reinvigorate American manufacturing, transportation, and service sectors by employing the vast talents of United States workers to assist in the development of energy from domestic sources; and

(2) the Congress will monitor the deployment of personnel and material onshore and offshore to encourage the development of American technology and manufacturing to enable United States workers to benefit from this subtitle through good jobs and careers, as well as the establishment of important industrial facilities to support expanded access to American resources.

(b) REQUIREMENT.—The Secretary of the Interior shall when possible, and practicable, encourage the use of United States workers and equipment manufactured in the United States in all construction related to mineral and renewable energy resource development on the Outer Continental Shelf under this subtitle.

**SEC. 17602. REGULATIONS.**

Section 30(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1356(a)) is amended by striking “shall issue regulations which” and inserting “shall issue regulations that shall be supplemental to, complementary with, and under no circumstances a substitution for the provisions of the Constitution and laws of the United States extended to the subsoil and seabed of the outer Continental Shelf by section 4(a)(1), except insofar as such laws would otherwise apply to individuals who have extraordinary ability in the sciences, arts, education, or business, which has been demonstrated by sustained national or international acclaim, and that”.

**Subtitle C—Alaska Coastal Plain Oil and Gas Leasing**

**SEC. 17701. SHORT TITLE.**

This subtitle may be cited as the “Alaskan Energy for American Jobs Act”.

**SEC. 17702. DEFINITIONS.**

In this subtitle:

(1) COASTAL PLAIN.—The term “Coastal Plain” means that area described in appendix I to part 37 of title 50, Code of Federal Regulations.

(2) PEER REVIEWED.—The term “peer reviewed” means reviewed—

(A) by individuals chosen by the National Academy of Sciences with no contractual relationship with, or those who have no application for a grant or other funding pending with, the Federal agency with leasing jurisdiction; or

(B) if individuals described in subparagraph (A) are not available, by the top individuals in the specified biological fields, as determined by the National Academy of Sciences.

(3) SECRETARY.—The term “Secretary”, except as otherwise provided, means the Secretary of the Interior or the Secretary’s designee.

**SEC. 17703. LEASING PROGRAM FOR LANDS WITHIN THE COASTAL PLAIN.**

(a) IN GENERAL.—The Secretary shall take such actions as are necessary—

(1) to establish and implement, in accordance with this subtitle and acting through the Director of the Bureau of Land Management in consultation with the Director of the United States Fish and Wildlife Service, a competitive oil and gas leasing program that will result in the exploration, development, and production of the oil and gas resources of the Coastal Plain; and

(2) to administer the provisions of this subtitle through regulations, lease terms, conditions, restrictions, prohibitions, stipulations, and other provisions that ensure the oil and gas exploration, development, and production activities on the Coastal Plain will result in no significant adverse effect on fish and wildlife, their habitat, subsistence resources, and the environment, including, in furtherance of this goal, by requiring the application of the best commercially available technology for oil and gas exploration, development, and production to all exploration, development, and production operations under this subtitle in a manner that ensures the receipt of fair market value by the public for the mineral resources to be leased.

## (b) REPEAL OF EXISTING RESTRICTION.—

(1) REPEAL.—Section 1003 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3143) is repealed.

(2) CONFORMING AMENDMENT.—The table of contents in section 1 of such Act is amended by striking the item relating to section 1003.

## (c) COMPLIANCE WITH REQUIREMENTS UNDER CERTAIN OTHER LAWS.—

(1) COMPATIBILITY.—For purposes of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), the oil and gas leasing program and activities authorized by this section in the Coastal Plain are deemed to be compatible with the purposes for which the Arctic National Wildlife Refuge was established, and no further findings or decisions are required to implement this determination.

(2) ADEQUACY OF THE DEPARTMENT OF THE INTERIOR'S LEGISLATIVE ENVIRONMENTAL IMPACT STATEMENT.—The "Final Legislative Environmental Impact Statement" (April 1987) on the Coastal Plain prepared pursuant to section 1002 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3142) and section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) is deemed to satisfy the requirements under the National Environmental Policy Act of 1969 that apply with respect to prelease activities under this subtitle, including actions authorized to be taken by the Secretary to develop and promulgate the regulations for the establishment of a leasing program authorized by this subtitle before the conduct of the first lease sale.

(3) COMPLIANCE WITH NEPA FOR OTHER ACTIONS.—Before conducting the first lease sale under this subtitle, the Secretary shall prepare an environmental impact statement under the National Environmental Policy Act of 1969 with respect to the actions authorized by this subtitle that are not referred to in paragraph (2). Notwithstanding any other law, the Secretary is not required to identify nonleasing alternative courses of action or to analyze the environmental effects of such courses of action. The Secretary shall only identify a preferred action for such leasing and a single leasing alternative, and analyze the environmental effects and potential mitigation measures for those two alternatives. The identification of the preferred action and related analysis for the first lease sale under this subtitle shall be completed within 18 months after the date of enactment of this Act. The Secretary shall only consider public comments that specifically address the Secretary's preferred action and that are filed within 20 days after publication of an environmental analysis. Notwithstanding any other law, compliance with this paragraph is deemed to satisfy all requirements for the analysis and consideration of the environmental effects of proposed leasing under this subtitle.

(d) RELATIONSHIP TO STATE AND LOCAL AUTHORITY.—Nothing in this subtitle shall be considered to expand or limit State and local regulatory authority.

## (e) SPECIAL AREAS.—

(1) IN GENERAL.—The Secretary, after consultation with the State of Alaska, the city of Kaktovik, and the North Slope Borough, may designate up to a total of 45,000 acres of the Coastal Plain as a Special Area if the Secretary determines that the Special Area is of such unique character and interest so as to require special management and regulatory protection. The Secretary shall designate as such a Special Area the Sadlerochit Spring area, comprising approximately 4,000 acres.

(2) MANAGEMENT.—Each such Special Area shall be managed so as to protect and preserve the area's unique and diverse character including its fish, wildlife, and subsistence resource values.

(3) EXCLUSION FROM LEASING OR SURFACE OCCUPANCY.—The Secretary may exclude any Special Area from leasing. If the Secretary leases a Special Area, or any part thereof, for purposes

of oil and gas exploration, development, production, and related activities, there shall be no surface occupancy of the lands comprising the Special Area.

(4) DIRECTIONAL DRILLING.—Notwithstanding the other provisions of this subsection, the Secretary may lease all or a portion of a Special Area under terms that permit the use of horizontal drilling technology from sites on leases tracts located outside the Special Area.

(f) LIMITATION ON CLOSED AREAS.—The Secretary's sole authority to close lands within the Coastal Plain to oil and gas leasing and to exploration, development, and production is that set forth in this subtitle.

## (g) REGULATIONS.—

(1) IN GENERAL.—The Secretary shall prescribe such regulations as may be necessary to carry out this subtitle, including regulations relating to protection of the fish and wildlife, their habitat, subsistence resources, and environment of the Coastal Plain, by no later than 15 months after the date of enactment of this Act.

(2) REVISION OF REGULATIONS.—The Secretary shall, through a rule making conducted in accordance with section 553 of title 5, United States Code, periodically review and, if appropriate, revise the regulations issued under subsection (a) to reflect a preponderance of the best available scientific evidence that has been peer reviewed and obtained by following appropriate, documented scientific procedures, the results of which can be repeated using those same procedures.

## SEC. 17704. LEASE SALES.

(a) IN GENERAL.—Lands may be leased under this subtitle to any person qualified to obtain a lease for deposits of oil and gas under the Mineral Leasing Act (30 U.S.C. 181 et seq.).

(b) PROCEDURES.—The Secretary shall, by regulation and no later than 180 days after the date of enactment of this Act, establish procedures for—

(1) receipt and consideration of sealed nominations for any area of the Coastal Plain for inclusion in, or exclusion (as provided in subsection (c)) from, a lease sale;

(2) the holding of lease sales after such nomination process; and

(3) public notice of and comment on designation of areas to be included in, or excluded from, a lease sale.

(c) LEASE SALE BIDS.—Lease sales under this subtitle may be conducted through an Internet leasing program, if the Secretary determines that such a system will result in savings to the taxpayer, an increase in the number of bidders participating, and higher returns than oral bidding or a sealed bidding system.

## (d) SALE ACREAGES AND SCHEDULE.—

(1) The Secretary shall offer for lease under this subtitle those tracts the Secretary considers to have the greatest potential for the discovery of hydrocarbons, taking into consideration nominations received pursuant to subsection (b)(1).

(2) The Secretary shall offer for lease under this subtitle no less than 50,000 acres for lease within 22 months after the date of the enactment of this Act.

(3) The Secretary shall offer for lease under this subtitle no less than an additional 50,000 acres at 6-, 12-, and 18-month intervals following offering under paragraph (2).

(4) The Secretary shall conduct four additional sales under the same terms and schedule no later than two years after the date of the last sale under paragraph (3), if sufficient interest in leasing exists to warrant, in the Secretary's judgment, the conduct of such sales.

(5) The Secretary shall evaluate the bids in each sale and issue leases resulting from such sales, within 90 days after the date of the completion of such sale.

## SEC. 17705. GRANT OF LEASES BY THE SECRETARY.

(a) IN GENERAL.—The Secretary may grant to the highest responsible qualified bidder in a

lease sale conducted under section 17704 any lands to be leased on the Coastal Plain upon payment by the such bidder of such bonus as may be accepted by the Secretary.

(b) SUBSEQUENT TRANSFERS.—No lease issued under this subtitle may be sold, exchanged, assigned, sublet, or otherwise transferred except with the approval of the Secretary. Prior to any such approval the Secretary shall consult with, and give due consideration to the views of, the Attorney General.

## SEC. 17706. LEASE TERMS AND CONDITIONS.

(a) IN GENERAL.—An oil or gas lease issued under this subtitle shall—

(1) provide for the payment of a royalty of not less than 12½ percent in amount or value of the production removed or sold under the lease, as determined by the Secretary under the regulations applicable to other Federal oil and gas leases;

(2) provide that the Secretary may close, on a seasonal basis, portions of the Coastal Plain to exploratory drilling activities as necessary to protect caribou calving areas and other species of fish and wildlife based on a preponderance of the best available scientific evidence that has been peer reviewed and obtained by following appropriate, documented scientific procedures, the results of which can be repeated using those same procedures;

(3) require that the lessee of lands within the Coastal Plain shall be fully responsible and liable for the reclamation of lands within the Coastal Plain and any other Federal lands that are adversely affected in connection with exploration, development, production, or transportation activities conducted under the lease and within the Coastal Plain by the lessee or by any of the subcontractors or agents of the lessee;

(4) provide that the lessee may not delegate or convey, by contract or otherwise, the reclamation responsibility and liability to another person without the express written approval of the Secretary;

(5) provide that the standard of reclamation for lands required to be reclaimed under this subtitle shall be, as nearly as practicable, a condition capable of supporting the uses which the lands were capable of supporting prior to any exploration, development, or production activities, or upon application by the lessee, to a higher or better use as certified by the Secretary;

(6) contain terms and conditions relating to protection of fish and wildlife, their habitat, subsistence resources, and the environment as required pursuant to section 17703(a)(2);

(7) provide that the lessee, its agents, and its contractors use best efforts to provide a fair share, as determined by the level of obligation previously agreed to in the 1974 agreement implementing section 29 of the Federal Agreement and Grant of Right of Way for the Operation of the Trans-Alaska Pipeline, of employment and contracting for Alaska Natives and Alaska Native corporations from throughout the State;

(8) prohibit the export of oil produced under the lease; and

(9) contain such other provisions as the Secretary determines necessary to ensure compliance with this subtitle and the regulations issued under this subtitle.

(b) NEGOTIATED LABOR AGREEMENTS.—The Secretary, as a term and condition of each lease under this subtitle, shall require that the lessee and its agents and contractors negotiate to obtain an agreement for the employment of laborers and mechanics on production, maintenance, and construction under the lease.

## SEC. 17707. POLICIES REGARDING BUYING, BUILDING, AND WORKING FOR AMERICA.

(a) CONGRESSIONAL INTENT.—It is the intent of the Congress that—

(1) this subtitle will support a healthy and growing United States domestic energy sector that, in turn, helps to reinvigorate American

manufacturing, transportation, and service sectors by employing the vast talents of United States workers to assist in the development of energy from domestic sources; and

(2) The Congress will monitor the deployment of personnel and material onshore and offshore to encourage the development of American technology and manufacturing to enable United States workers to benefit from this subtitle through good jobs and careers, as well as the establishment of important industrial facilities to support expanded access to American resources.

(b) **REQUIREMENT.**—The Secretary of the Interior shall when possible, and practicable, encourage the use of United States workers and equipment manufactured in the United States in all construction related to mineral development on the Coastal Plain.

**SEC. 17708. COASTAL PLAIN ENVIRONMENTAL PROTECTION.**

(a) **NO SIGNIFICANT ADVERSE EFFECT STANDARD TO GOVERN AUTHORIZED COASTAL PLAIN ACTIVITIES.**—The Secretary shall, consistent with the requirements of section 17703, administer this subtitle through regulations, lease terms, conditions, restrictions, prohibitions, stipulations, and other provisions that—

(1) ensure the oil and gas exploration, development, and production activities on the Coastal Plain will result in no significant adverse effect on fish and wildlife, their habitat, and the environment;

(2) require the application of the best commercially available technology for oil and gas exploration, development, and production on all new exploration, development, and production operations; and

(3) ensure that the maximum amount of surface acreage covered by production and support facilities, including airstrips and any areas covered by gravel berms or piers for support of pipelines, does not exceed 10,000 acres on the Coastal Plain for each 100,000 acres of area leased.

(b) **SITE-SPECIFIC ASSESSMENT AND MITIGATION.**—The Secretary shall also require, with respect to any proposed drilling and related activities, that—

(1) a site-specific analysis be made of the probable effects, if any, that the drilling or related activities will have on fish and wildlife, their habitat, subsistence resources, and the environment;

(2) a plan be implemented to avoid, minimize, and mitigate (in that order and to the extent practicable) any significant adverse effect identified under paragraph (1); and

(3) the development of the plan shall occur after consultation with the agency or agencies having jurisdiction over matters mitigated by the plan.

(c) **REGULATIONS TO PROTECT COASTAL PLAIN FISH AND WILDLIFE RESOURCES, SUBSISTENCE USERS, AND THE ENVIRONMENT.**—Before implementing the leasing program authorized by this subtitle, the Secretary shall prepare and promulgate regulations, lease terms, conditions, restrictions, prohibitions, stipulations, and other measures designed to ensure that the activities undertaken on the Coastal Plain under this subtitle are conducted in a manner consistent with the purposes and environmental requirements of this subtitle.

(d) **COMPLIANCE WITH FEDERAL AND STATE ENVIRONMENTAL LAWS AND OTHER REQUIREMENTS.**—The proposed regulations, lease terms, conditions, restrictions, prohibitions, and stipulations for the leasing program under this subtitle shall require compliance with all applicable provisions of Federal and State environmental law, and shall also require the following:

(1) Standards at least as effective as the safety and environmental mitigation measures set forth in items 1 through 29 at pages 167 through 169 of the “Final Legislative Environmental Impact Statement” (April 1987) on the Coastal Plain.

(2) Seasonal limitations on exploration, development, and related activities, where necessary, to avoid significant adverse effects during peri-

ods of concentrated fish and wildlife breeding, denning, nesting, spawning, and migration based on a preponderance of the best available scientific evidence that has been peer reviewed and obtained by following appropriate, documented scientific procedures, the results of which can be repeated using those same procedures.

(3) That exploration activities, except for surface geological studies, be limited to the period between approximately November 1 and May 1 each year and that exploration activities shall be supported, if necessary, by ice roads, winter trails with adequate snow cover, ice pads, ice airstrips, and air transport methods, except that such exploration activities may occur at other times if the Secretary finds that such exploration will have no significant adverse effect on the fish and wildlife, their habitat, and the environment of the Coastal Plain.

(4) Design safety and construction standards for all pipelines and any access and service roads, that—

(A) minimize, to the maximum extent possible, adverse effects upon the passage of migratory species such as caribou; and

(B) minimize adverse effects upon the flow of surface water by requiring the use of culverts, bridges, and other structural devices.

(5) Prohibitions on general public access and use on all pipeline access and service roads.

(6) Stringent reclamation and rehabilitation requirements, consistent with the standards set forth in this subtitle, requiring the removal from the Coastal Plain of all oil and gas development and production facilities, structures, and equipment upon completion of oil and gas production operations, except that the Secretary may exempt from the requirements of this paragraph those facilities, structures, or equipment that the Secretary determines would assist in the management of the Arctic National Wildlife Refuge and that are donated to the United States for that purpose.

(7) Appropriate prohibitions or restrictions on access by all modes of transportation.

(8) Appropriate prohibitions or restrictions on sand and gravel extraction.

(9) Consolidation of facility siting.

(10) Appropriate prohibitions or restrictions on use of explosives.

(11) Avoidance, to the extent practicable, of springs, streams, and river systems; the protection of natural surface drainage patterns, wetlands, and riparian habitats; and the regulation of methods or techniques for developing or transporting adequate supplies of water for exploratory drilling.

(12) Avoidance or minimization of air traffic-related disturbance to fish and wildlife.

(13) Treatment and disposal of hazardous and toxic wastes, solid wastes, reserve pit fluids, drilling muds and cuttings, and domestic wastewater, including an annual waste management report, a hazardous materials tracking system, and a prohibition on chlorinated solvents, in accordance with applicable Federal and State environmental law.

(14) Fuel storage and oil spill contingency planning.

(15) Research, monitoring, and reporting requirements.

(16) Field crew environmental briefings.

(17) Avoidance of significant adverse effects upon subsistence hunting, fishing, and trapping by subsistence users.

(18) Compliance with applicable air and water quality standards.

(19) Appropriate seasonal and safety zone designations around well sites, within which subsistence hunting and trapping shall be limited.

(20) Reasonable stipulations for protection of cultural and archeological resources.

(21) All other protective environmental stipulations, restrictions, terms, and conditions deemed necessary by the Secretary.

(e) **CONSIDERATIONS.**—In preparing and promulgating regulations, lease terms, conditions,

restrictions, prohibitions, and stipulations under this section, the Secretary shall consider the following:

(1) The stipulations and conditions that govern the National Petroleum Reserve-Alaska leasing program, as set forth in the 1999 Northeast National Petroleum Reserve-Alaska Final Integrated Activity Plan/Environmental Impact Statement.

(2) The environmental protection standards that governed the initial Coastal Plain seismic exploration program under parts 37.31 to 37.33 of title 50, Code of Federal Regulations.

(3) The land use stipulations for exploratory drilling on the KIC-ASRC private lands that are set forth in appendix 2 of the August 9, 1983, agreement between Arctic Slope Regional Corporation and the United States.

(f) **FACILITY CONSOLIDATION PLANNING.**—

(1) **IN GENERAL.**—The Secretary shall, after providing for public notice and comment, prepare and update periodically a plan to govern, guide, and direct the siting and construction of facilities for the exploration, development, production, and transportation of Coastal Plain oil and gas resources.

(2) **OBJECTIVES.**—The plan shall have the following objectives:

(A) Avoiding unnecessary duplication of facilities and activities.

(B) Encouraging consolidation of common facilities and activities.

(C) Locating or confining facilities and activities to areas that will minimize impact on fish and wildlife, their habitat, and the environment.

(D) Utilizing existing facilities wherever practicable.

(E) Enhancing compatibility between wildlife values and development activities.

(g) **ACCESS TO PUBLIC LANDS.**—The Secretary shall—

(1) manage public lands in the Coastal Plain subject to section 811 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3121); and

(2) ensure that local residents shall have reasonable access to public lands in the Coastal Plain for traditional uses.

**SEC. 17709. EXPEDITED JUDICIAL REVIEW.**

(a) **FILING OF COMPLAINT.**—

(1) **DEADLINE.**—Subject to paragraph (2), any complaint seeking judicial review—

(A) of any provision of this subtitle shall be filed by not later than 1 year after the date of enactment of this Act; or

(B) of any action of the Secretary under this subtitle shall be filed—

(i) except as provided in clause (ii), within the 90-day period beginning on the date of the action being challenged; or

(ii) in the case of a complaint based solely on grounds arising after such period, within 90 days after the complainant knew or reasonably should have known of the grounds for the complaint.

(2) **VENUE.**—Any complaint seeking judicial review of any provision of this subtitle or any action of the Secretary under this subtitle may be filed only in the United States Court of Appeals for the District of Columbia.

(3) **LIMITATION ON SCOPE OF CERTAIN REVIEW.**—Judicial review of a Secretarial decision to conduct a lease sale under this subtitle, including the environmental analysis thereof, shall be limited to whether the Secretary has complied with this subtitle and shall be based upon the administrative record of that decision. The Secretary's identification of a preferred course of action to enable leasing to proceed and the Secretary's analysis of environmental effects under this subtitle shall be presumed to be correct unless shown otherwise by clear and convincing evidence to the contrary.

(b) **LIMITATION ON OTHER REVIEW.**—Actions of the Secretary with respect to which review could have been obtained under this section shall not

be subject to judicial review in any civil or criminal proceeding for enforcement.

(c) **LIMITATION ON ATTORNEYS' FEES AND COURT COSTS.**—No person seeking judicial review of any action under this subtitle shall receive payment from the Federal Government for their attorneys' fees and other court costs, including under any provision of law enacted by the Equal Access to Justice Act (5 U.S.C. 504 note).

**SEC. 17710. TREATMENT OF REVENUES.**

Notwithstanding any other provision of law, 50 percent of the amount of bonus, rental, and royalty revenues from Federal oil and gas leasing and operations authorized under this subtitle shall be deposited in the Treasury.

**SEC. 17711. RIGHTS-OF-WAY ACROSS THE COASTAL PLAIN.**

(a) **IN GENERAL.**—The Secretary shall issue rights-of-way and easements across the Coastal Plain for the transportation of oil and gas produced under leases under this subtitle—

(1) except as provided in paragraph (2), under section 28 of the Mineral Leasing Act (30 U.S.C. 185), without regard to title XI of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3161 et seq.); and

(2) under title XI of the Alaska National Interest Lands Conservation Act (30 U.S.C. 3161 et seq.), for access authorized by sections 1110 and 1111 of that Act (16 U.S.C. 3170 and 3171).

(b) **TERMS AND CONDITIONS.**—The Secretary shall include in any right-of-way or easement issued under subsection (a) such terms and conditions as may be necessary to ensure that transportation of oil and gas does not result in a significant adverse effect on the fish and wildlife, subsistence resources, their habitat, and the environment of the Coastal Plain, including requirements that facilities be sited or designed so as to avoid unnecessary duplication of roads and pipelines.

(c) **REGULATIONS.**—The Secretary shall include in regulations under section 17703(g) provisions granting rights-of-way and easements described in subsection (a) of this section.

**SEC. 17712. CONVEYANCE.**

In order to maximize Federal revenues by removing clouds on title to lands and clarifying land ownership patterns within the Coastal Plain, the Secretary, notwithstanding section 1302(h)(2) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3192(h)(2)), shall convey—

(1) to the Kaktovik Inupiat Corporation the surface estate of the lands described in paragraph 1 of Public Land Order 6959, to the extent necessary to fulfill the Corporation's entitlement under sections 12 and 14 of the Alaska Native Claims Settlement Act (43 U.S.C. 1611 and 1613) in accordance with the terms and conditions of the Agreement between the Department of the Interior, the United States Fish and Wildlife Service, the Bureau of Land Management, and the Kaktovik Inupiat Corporation dated January 22, 1993; and

(2) to the Arctic Slope Regional Corporation the remaining subsurface estate to which it is entitled pursuant to the August 9, 1983, agreement between the Arctic Slope Regional Corporation and the United States of America.

The CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part A of House Report 112-398. 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.

**AMENDMENT NO. 1 OFFERED BY MS. ESHOO**

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 112-398.

Ms. ESHOO. 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:

In section 14003(a), add at the end the following:

(3) **ENSURING PUBLIC SAFETY.**—Notwithstanding paragraphs (1) and (2), a permit shall not be issued or deemed to have been issued under this subsection until the Federal Energy Regulatory Commission examines and determines the relevance to the Keystone XL pipeline of the report issued by the Pipeline and Hazardous Materials Safety Administration, pursuant to the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (Public Law 112-90), describing the results of its review of hazardous liquid pipeline regulations and whether such regulations are sufficient to ensure the safety of pipelines used for the transportation of diluted bitumen.

The CHAIR. Pursuant to House Resolution 547, the gentlewoman from California (Ms. ESHOO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. ESHOO. Last year, in the bipartisan pipeline safety bill that was signed into law, I worked with Chairman UPTON to include language which requires the Pipeline and Hazardous Materials Safety Administration, which is called PHMSA, to complete a comprehensive review of hazardous liquid pipeline regulations. This review will determine whether the current regulations are sufficient to ensure the safety of pipelines used for the transportation of diluted bitumen or tar sands oil. Everyone agrees that this review makes sense. The House and the Senate both passed the pipeline safety bill without a single Member of Congress voting against it. What doesn't make sense is directing the Federal Energy Regulatory Commission to issue a permit for the Keystone XL pipeline before we know whether our safety standards are adequate.

Last year, Cynthia Quarterman, the Administrator of PHMSA, testified before the Energy and Commerce Committee, stating the agency had not done a study to analyze the risks associated with transporting diluted bitumen. We've heard concerns that pipelines carrying tar sands oil may pose greater safety risks and may be more corrosive than pipelines carrying conventional crude. According to a recent whistleblower who worked as a safety inspector for the first Keystone pipeline, he said:

This oil has the consistency of peanut butter and is similar to sending heavy grit sandpaper down the steel pipe.

□ 1550

So we're not talking about a theoretical risk. In July 2010, a pipeline carrying tar sands oil ruptured near Marshall, Michigan. Over 800,000 gal-

lons of oil spilled into the Talmadge Creek and then flowed into the Kalamazoo River. A year and a half after the spill, the cleanup continues and is expected to cost hundreds of millions of dollars. Oil tar sands, unlike conventional crude oil, sinks to the bottom of a river, making it especially difficult to clean up.

TransCanada's first Keystone pipeline doesn't really inspire confidence either. This is a brand-new, supposedly state-of-the-art pipeline. It was predicted to spill no more than once every 7 years; but in just a year and a half of operation, it's reported 14 separate oil spills. In North Dakota, over 21,000 gallons of tar sands oil have been spilled, and these spills are a warning to all of us that we need to get this right.

This is not a subject to be taken lightly. We've seen in my neck of the woods, in the northern part of the county where I live, in San Bruno, California, an explosion, natural-gas pipeline explosion that killed eight people. It injured dozens, and it destroyed 38 homes.

The Federal Government has been regulating pipelines since 1968, and we're still seeing explosions like the one in San Bruno, California. I think it's dangerous, Mr. Chairman, to move forward with a tar sands pipeline before we have the proper safety knowledge and procedures in place.

So my amendment is really quite simple. It requires the FERC, the Federal Energy Regulatory Commission, to review the results of the PHMSA study before issuing a permit for the Keystone XL pipeline. I think this review is important for the safety of Americans who will be living near this pipeline for decades to come and who rely on the rivers and the streams and the aquifers it will cross.

This approach makes sense. It's also far less costly to build pipelines correctly than to try to fix or replace a line that's already built.

For all of these reasons, I urge my colleagues to support my amendment.

I yield back the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I rise to speak in opposition to the amendment.

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

Mr. WHITFIELD. I do so reluctantly because we all have such great respect for Ms. ESHOO of California. She is a hardworking member of the Energy and Commerce Committee and provides great leadership.

But we oppose this amendment for a couple of simple reasons. Number one, this study by the Department of Transportation is going to be made anyway. We're not stopping that at all.

Number two, Keystone will transport a grade of crude oil that has been in our Nation's pipelines for decades. There's nothing really new about this substance. Venezuelan oil has about the same density. Certain Saudi Arabian oils have basically the same density.

Studies by the Canadian Government and private sector engineers in this country have demonstrated that heavy oils and diluted bitumen are not more dangerous or corrosive than regular grades of oil. We have not found any evidence to the contrary of those studies.

The reason that we're opposing this amendment is because this amendment would say you cannot begin this pipeline until this study is completed, and our position is we want this study to go forward. We've waited over 40 months to get the approval to build this pipeline. The American people need this pipeline. America needs this additional oil.

If the study comes back and comes up with significant, or any, safety issues, I can assure you that Congress is ready to act to address those. But there's no indication that there will be a problem.

So for that reason, we feel quite confident that this pipeline should be built. We want the study to go forward, but we want the permit to be issued to build it now, as the Department of State recognized in their final environmental statement back in August of 2011.

I would urge the defeat of the Eshoo amendment.

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

The CHAIR. The question is on the amendment offered by the gentleman from California (Ms. ESHOO).

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

Ms. ESHOO. 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 California will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. MARKEY

The CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 112-398.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 903, after line 22, insert the following new paragraph:

(3) ENERGY SECURITY.—Notwithstanding paragraph (1), the Federal Energy Regulatory Commission shall require every permit issued under this Act to include provisions that ensure that any crude oil and bitumen transported by the Keystone XL pipeline, and all refined petroleum fuel products whose origin was via importation of crude oil or bitumen by the Keystone XL pipeline, will be entered into domestic commerce for use as a fuel, or for the manufacture of another product, in the United States. The President may provide for waivers of such requirement in the following situations:

(A) Where the President determines that such a waiver is in the national interest because it—

(i) will not lead to an increase in domestic consumption of crude oil or refined petro-

leum products obtained from countries hostile to United States interests or with political and economic instability that compromises energy supply security;

(ii) will not lead to higher costs to refiners who purchase the crude oil than such refiners would have to pay for crude oil in the absence of such a waiver; and

(iii) will not lead to higher gasoline costs to consumers than consumers would have to pay in the absence of such a waiver.

(B) Where an exchange of crude oil or refined product provides for no net loss of crude oil or refined product consumed domestically.

(C) Where a waiver is necessary under the Constitution, a law, or an international agreement.

The CHAIR. Pursuant to House Resolution 547, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

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

Mr. Chairman, the purported benefits of the Keystone pipeline have achieved mythic status. We have been told that this pipeline will lower gas prices, even though TransCanada says gas prices will go up. We've been told tens of thousands will be hired to build it, even though only about 5,000 or 6,000 temporary construction jobs will be created.

And in a particularly egregious descent into Fairyland, we have been told that the oil coming through this pipeline would enable us to reduce our dependence on oil imported from unfriendly Middle Eastern or Latin American nations.

Last month, Canadian Prime Minister Stephen Harper even said, when you look at the Iranians threatening to block the Strait of Hormuz, I think this just illustrates how critical it is that supply for the United States be North American.

But under this bill, the Republican bill, there is no guarantee that even a drop of the tar sands oil and fuels will stay here in this country. They keep saying how great it would be if we had a million barrels of oil coming into the United States from Canada. There's no guarantee in this bill, and that's because many of the refineries where the Keystone crude will be sent plan to re-export the refined fuels.

This is the map of what the oil industry plans on doing with this oil. It comes right through the United States, and then it heads off to Asia, South America, over to Europe. And Valero, one of these refineries, says in its investor presentation that it plans to refine the Canadian crude at the same facility it is building in Port Arthur, Texas, an export zone, because doing so leverages its export logistics.

Our amendment will say this oil coming through this pipeline from Canada stays here in the United States and doesn't head off to China. That's what the amendment is all about.

I reserve the balance of my time.

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

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

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

This is one of those myths that we must try to dispel. I guess if you say it enough times, some people will start believing it. But the reality is, why would you build a pipeline 1,700 miles, branching off to several refineries along the way, to our main refineries in Texas and Louisiana, simply to put it on a boat, send it through South America over to China, when they're already discussing, because the President denied this permit and set off a little bit of an international fury, sending a message to the rest of the world that we're going to kowtow to the environmental extremists as our energy policy in the United States, they are now talking about, or have been for some time, of just building a pipeline straight from the Alberta tar sands up here, all the way to Vancouver coast.

Now, let me just read some of the article, since Prime Minister Stephen Harper went to China last week to court them to buy the oil that the United States just rejected when the President denied the Keystone XL permit.

□ 1600

This is from an article from Ottawa.ctv, referring to the Prime Minister:

He also made a subtle dig at environmentalists who helped block TransCanada's planned Keystone XL pipeline, which would have carried Canada's oil to refineries in the United States.

"We uphold our responsibility to put the interests of Canadians ahead of foreign money and influence that seek to obstruct development in Canada in favor of energy imported from other, less stable parts of the world," he told the dinner.

By the way, he was referring to Saudi Arabia, Middle East, and Venezuela where we're getting our oil now and will continue to do so unless this Keystone pipeline is built offsetting up to a million barrels per day.

In Bloomberg on February 10, Harper said he is committed to "profoundly" diversifying the country's energy exports that will facilitate construction of new infrastructure needed to ship the country's oil to China.

He's not talking about Keystone pipeline. He's talking about the new one along the west to Vancouver.

The article continues:

Canada, which holds the third largest oil reserves, is seeking to reduce its reliance on the United States after President Barack Obama rejected TransCanada Corp.'s \$7 billion Keystone XL pipeline to ship Canadian oil to the Gulf Coast.

"We want to sell our energy to people who want to buy our energy."

That's why he went to China because obviously it's not the United States.

Oil and Gas Journal states:

Harper's visit was described as an open warning to Washington after President Barack Obama rejected the Keystone pipeline.

"It's not a subtle warning. It's an open warning. Harper has said Keystone was a

wake-up call," said Wenran Jiang, an energy expert at the University of Alberta.

Now, next, Washington Post:

Chinese state-controlled Sinopec has a stake in a proposed Canadian pipeline to the Pacific Ocean that would substantially boost Chinese investment in Alberta oil sands.

From today, February 15, Kinder Morgan pipeline—this is from the Houston Business Journal—the chief of Port Metro Vancouver, the city's port authority, said the port would be willing to undertake the dredging and infrastructure work necessary to allow the bigger ships into the port that could carry crude shipped to the coast from Alberta oil sands.

The reality is if you want this oil to go to China, kill the XL pipeline, the Keystone pipeline, and let this one be built in Canada, which Canada is already preparing to do.

I reserve the balance of my time.

Mr. MARKEY. I yield 1 minute to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman. Keystone is not the energy future that advocates claim it is. But if in fact the Keystone pipeline is built, then this amendment says that that oil in fact should be used in the United States to reduce our dependence on oil. It appears right now that if this pipeline is built, it will be for the purpose of transporting tar sands oil from Canada down to Houston for refining and then export to Latin America and China. That's very much what is on the mind of many people.

You can't have both—have that pipeline be essentially a conduit for export and claim that it's going to reduce American dependence on overseas oil. This amendment speaks directly to that and it allows those who claim that Keystone will allow us energy independence to guarantee in law that that will happen.

Mr. MARKEY. May I inquire as to how much time is remaining on either side?

The Acting CHAIR (Mr. YODER). The gentleman from Massachusetts has 2 minutes remaining. The gentleman from Nebraska has 1 minute remaining.

Mr. MARKEY. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. I thank my colleague.

Mr. Chairman, oil companies are running a multi-million dollar lobbying campaign to approve the Keystone pipeline, a pipeline the owner itself says the price of oil in middle America to go up, not down.

Here's what the oil company, TransCanada, said in its own application:

Additional producer revenues are possible if the Keystone pipeline also relieves the oversupply situation in the Midwest.

It goes on to say:

The market prices of Canadian heavy crudes should rise in the Midwest.

This gives new meaning to the phrase "voodoo economics."

Only in a party bought and paid for by the Koch Brothers would politicians

have the audacity to claim that raising oil prices in America will lower gas prices help consumers or improve national security.

Our amendment prevents oil companies from gouging American consumers by requiring that any oil pumped through the Keystone pipeline stay in America which is, ostensibly, the avowed purpose of the pipeline.

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

Mr. MARKEY. Again, could we get a review of the time remaining?

The Acting CHAIR. The gentleman from Massachusetts has 1 minute. The gentleman from Nebraska has 1 minute remaining.

Mr. MARKEY. Could you inform me as to who has the right to close?

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

Mr. MARKEY. Mr. Chairman, I yield myself the remaining minute.

The gentleman from Nebraska says, What's the problem? All the oil's going to stay in the United States. It's not going to China.

That's what will happen if we don't build the pipeline. So they should vote for the Markey amendment because the Markey amendment could only be guilty of redundancy saying all the oil stays here in America.

So if that's your purpose, that's what the Markey amendment says. We'll hold you to your word when we have the vote.

But here's the real plan. TransCanada puts the dirtiest oil on the planet into the brand new pipeline Republicans are giving it; two, TransCanada sends that oil to the gulf coast where it can make billions more than where it currently sells it in the Midwest; three, refineries in the gulf coast re-export it to other countries at world oil prices and don't pay any taxes to the U.S. for doing so; four, Americans get higher gas prices and no increased energy security; five, TransCanada, Hugo Chavez, and the sheiks of Saudi Arabia laugh all the way to the bank.

Please vote "yes" for the Markey-Connolly-Cohen-Welch amendment.

I yield back the balance of my time.

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

This amendment just defies logic in the sense that the refined product of gasoline is going to be used in the United States. Now, the fallacy of this amendment here is it says all of the refined products. Well, there's stuff that's left over after the process that we can't even use in the United States that's commonly exported today for decades.

We actually don't use all of the diesel, and we trade with Europe to bring in more gasoline.

So what this amendment is trying to do is, A, start a trade war because it violates all trade rules and regulations. But the reality is it's a misnomer. If you really want this oil to go to China and us to have to continue to import from Venezuela and Saudi Arabia, then

vote "yes" on this amendment because evidently you're more concerned about jobs in China than you are in the United States.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 3 OFFERED BY MR. RUSH

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 112-398.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 903, after line 22, insert the following new paragraph:

(3) RESTRICTION ON USE OF EMINENT DOMAIN.—Notwithstanding paragraphs (1) and (2), a permit shall not be issued or deemed to have been issued under this subsection absent a condition that prohibits the permit recipient from initiating or threatening to initiate proceedings to invoke the power of eminent domain for the purpose of taking ownership, rights-of-way, easements, or other access or use of private property in the United States, for purposes of constructing or operating the Keystone XL pipeline, against the will of the property's owner.

The Acting CHAIR. Pursuant to House Resolution 547, the gentleman from Illinois (Mr. RUSH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

□ 1610

Mr. RUSH. Mr. Chairman, why is it that the proponents of this bill are smiling and smirking while walking around this Capitol?

It's because this bill requires the hasty approval of an unprecedented permit for the Keystone XL pipeline. They're smiling and smirking because their friends, the Big Oil companies, are big winners with this bill while the little people, the private property owners along the path of the proposed Keystone XL pipeline, will be the big losers.

Mr. Chairman, people might be surprised to learn that TransCanada has been bullying the American people—American landowners—and has been pressuring them to allow the company to build a pipeline through their land. In fact, during the subcommittee hearing, we heard testimony from witnesses who live along the path near the proposed route of this pipeline that TransCanada is doing just that—bullying them. They don't even have a permit to build the pipeline, yet we are told that

they are threatening American citizens with eminent domain, basically telling people, if you don't give us access to your land, if you don't give us your land, then we're going to take it.

Mr. Chairman, this is wrong. This is wrong. This is wrong. Why are we rewarding a private foreign company that is trying to intimidate and coerce American citizens with this regulatory earmark?

In order to protect private property owners along the path of this pipeline, I am offering an amendment that will restrict the use of eminent domain. My amendment requires that a permit for this pipeline would only be issued if it prohibits the use of eminent domain to take someone's private property against his will.

Mr. Chairman, my office was in contact with a Nebraska rancher by the name of Randy Thompson, who wrote me a letter dated February 9, and I want to read an excerpt of it for my colleagues.

He wrote:

Dear Congressman Rush, I would like to express to you, sir, my concerns about the bill introduced by Representative Terry to fast-forward the permitting process for the Keystone XL pipeline. It seems inherently wrong to me that a foreign corporation can actually force American citizens to forfeit their individual property rights through the use of eminent domain. With the denial of a permit, TransCanada has, for the time being, suspended their land acquisition process in the State of Nebraska. I can assure you, however, that they will be back on our doorsteps with a vengeance once a new route has been determined and a permit has been granted. It appears to me that some Members of Congress are all too eager to subsidize the Big Oil companies, not only with our tax dollars, but now with land that belongs to American citizens.

Mr. Chairman, we have a duty to protect our citizens from being bullied into giving up their land against their will for the gain of private foreign companies. Let us wipe the smiles and the smirks off the faces of the proponents of this bill. Pass this amendment. Protect the American people.

I reserve the balance of my time.

Mr. TERRY. I rise in opposition to the gentleman's amendment.

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

Mr. TERRY. None of us are smiling over the fact that the President killed the pipeline that would have created 20,000 jobs and that would have provided us a newer level of energy security. This amendment, in essence, is a way of killing this pipeline. Let's be clear about this.

The pipeline is 1,700 miles, and through each State this proposed pipeline would pass, the pipeline company would negotiate with the landowners on the proposed routes. So, if you have one person who objects, then he can ostensibly kill the pipeline. In every State, there is a mechanism in its own State laws that resolves any disputes for a right-of-way. We've heard some language here about taking people's

property. This is for use of a property and a right-of-way, a small strip of land, okay? So their rights are protected. The States' rights are protected.

What this amendment would do is to strip the States of their rights here, and it would send them off to an unknown area that has no rights to resolve any disputes. They only need one landowner to kill a 1,700-mile project. The gentleman that the gentleman from Chicago mentioned is one of those people. He belongs to BOLD Nebraska, an organization of environmentalists that wants to kill the pipeline.

At this point, I yield my remaining time to the gentleman from Texas (Mr. BARTON).

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

Mr. BARTON of Texas. I thank the gentleman from Nebraska for yielding.

I am actually here to speak on Mr. MARKEY's amendment, the previous amendment. I do want to oppose the amendment of my good friend from Chicago, Mr. RUSH, but I think Mr. TERRY eloquently made the case as to why it is not in order at this point in time.

Mr. Chairman, I want to go back to the previous amendment that Mr. MARKEY offered, which would restrict the use of both crude oil and refined products that come in from the Keystone pipeline to have to be sold in the United States. It goes without saying that if it's crude oil it would make absolutely no sense to transship it through the Keystone pipeline to the gulf coast and then put it in a tanker to go overseas. If you're going to export crude oil, it makes much more sense to export it directly from Canada.

On the refined product end of it, you have to know one thing, which is that this crude oil that we would be importing from Canada is a heavy crude oil. We have some of the best refineries in the country that have been upgraded by billions and billions of dollars so that we can handle not just the light sweet crudes, like West Texas Intermediate or Saudi Light, but so we can handle these heavy crudes, like the Canadian crude oil, that would come down.

When you have a barrel of crude oil, you can't just say, I want to make it all gasoline. You can make a lot of gasoline, but you're going to end up having to make diesel oil and asphalt and a lot of other products. Our refineries are the best in the world at cracking these heavy crudes. As they come down through the Midwest to the Louisiana and Texas refineries, most of the refined products would be sold in the United States, but the United States is primarily a gasoline market. The European market, on the other hand, is primarily a diesel market. So, as our refineries have become better and more competitive, it makes sense not to put a restriction on the refined products

but to let the market allocate it. It would actually create jobs in the United States. We could ship some of these refined—primarily diesel, but some of the distillates could go to the European market. You'd get a better margin, create jobs, and protect jobs here in the United States. The primary market will always be the United States. Currently, about 75 percent of the crude oil that's refined on the gulf coast is used in refined products that are sold in the United States, but somewhere around 20 to 25 percent has been going to Europe, primarily the distillates and the diesel.

The Markey amendment would turn that market on its head. It would be counterproductive to our economy, counterproductive to our consumers, and counterproductive to the general oil markets in the world.

I know Mr. MARKEY is trying to do what he thinks is the right thing, but in actuality, we defeated his amendment in the committee, I think, 34-14 or something like this. We got eight Democrats—about 40 percent of the Democrats—to vote with us against the Markey amendment in committee. We ought to defeat it by that same margin here on the floor of the House of Representatives.

At this point, I also want to thank Mr. WHITEFIELD for his excellent leadership on this issue.

Mr. RUSH. Mr. Chairman, I would like to inquire as to how much time I have remaining.

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

□ 1620

Mr. RUSH. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, let me just say that as Members of this Congress, we were elected to this body to protect the American people, to protect our citizens, to protect their property.

And, Mr. Chairman, the action that's occurring by the Republican majority is going to pass. But it's also going to turn that responsibility, that obligation, the reason for our existence here in this Congress upside down. It's going to make it just meaningless for the protection of the American people.

Why don't you protect the landowners, the private landowners?

Mr. TERRY. Will the gentleman yield so I can answer the question?

The answer to that question would be that each State has set up a due process law—

Mr. RUSH. Why don't we protect the landowners, the property holders in our Nation? We are elected here to protect them and not let a big oil company, TransCanada, a foreign company, come in and just take—

Mr. TERRY. They don't take. \* \* \*

The Acting CHAIR. The gentleman from Nebraska will suspend.

The time of the gentleman from Illinois has expired.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Members should not interject remarks after the Member under recognition has declined to yield.

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

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

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

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

AMENDMENT NO. 4 OFFERED BY MR. DOYLE

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 112-398.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 906, after line 10, insert the following new section:

**SEC. 14005. USE OF AMERICAN IRON AND STEEL.**

Notwithstanding section 14003(a)(1) and (2), a permit shall not be issued or deemed to have been issued under this title unless the permit applicant certifies and provides adequate documentation to the Federal Energy Regulatory Commission that at least 75 percent of iron and steel to be used in the construction of the domestic portion of the pipeline and related facilities described in section 14002(b) is produced in North America.

The Acting CHAIR. Pursuant to House Resolution 547, the gentleman from Pennsylvania (Mr. DOYLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

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

Mr. Chairman, despite all the controversy surrounding this pipeline, I think this is a good opportunity for us to examine some of the claims that the applicant for the Keystone XL pipeline has made.

Now let me say at the onset, I support building this pipeline in a way that protects the environment and helps create American jobs. I don't support the rushed 30-day manner that this bill would have us do, but I do support the pipeline.

When I started reading about the 800,000 tons of steel to be used in the Keystone XL pipeline, like everyone else, I was pretty excited about the prospects for our U.S. manufacturers, and especially coming from Pittsburgh, our steel manufacturers. So I have to tell you, I was a little confused when I talked to my friends in the U.S. steel industry and they told me they weren't making any of the steel for this project. Now, I knew this had to be a mistake because TransCanada had told us that there would be 7,000 direct manufacturing jobs created by this project, so surely someone somewhere

in the United States has to know what these jobs are.

I've also heard folks talking about the wonderful jobs being created at steel mills in southwestern Pennsylvania. The trouble is I can't find a steel mill in southwestern Pennsylvania that's making steel for the Keystone XL pipeline. In fact, I'm having trouble finding a single U.S. steelmaker that has any orders for any of this pipe.

Now, I've reached out to the permit applicant, TransCanada, and several other sources for some clarifying information regarding their claim that 75 percent of the steel used in the Keystone XL pipeline will be sourced from North America. Unfortunately, the best I seem to get is that there's a single pipe manufacturer in Little Rock, Arkansas, that is providing much of the steel pipe for the pipeline. The trouble is that manufacturer doesn't actually use U.S. or North American steel to make the pipe. In fact, the Little Rock plant very clearly told me that they make their pipe out of foreign steel imports. They also told me they have imported and are housing on their site 140 miles of ready-made pipe that they got from India to be used in the Keystone pipeline.

So all my amendment does is ask for some truth in advertising. TransCanada has told us that they make every effort to source as much steel from U.S. mills as they can. I'm simply asking the applicant to certify their claims.

Along with other members of the Energy and Commerce Committee, I have sent a letter to TransCanada asking for this information, but I have yet to receive a response. I think Members deserve this information. If there is, in fact, a U.S. steelmaker out there that is making all or some of the steel for the Keystone XL pipeline, I think we have a right to know about it.

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

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

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

Mr. WHITFIELD. I yield myself 3 minutes.

First of all, I would like to say to the gentleman from Pennsylvania, who is a very hardworking member of the Energy and Commerce Committee and provides great leadership, that we reluctantly oppose his amendment.

His amendment is very simple, and it is very direct. It simply says the permit will not be issued until the permit applicant certifies and provides adequate documentation that at least 75 percent of the iron and steel used in the construction of the pipeline is produced in North America, which is a goal that many of us have.

I would like to point out a couple of facts here:

Number one, this is a private company that's putting up \$7 billion of its own money;

Number two, in order to keep costs down, it has already acquired all of the steel and iron that it is going to use in this pipeline.

Now, some people will say, well, why in the world would it spend over \$2 billion buying this material when they didn't have a permit? Well, they filed this permit 40 months ago, and all of the information coming out from the Secretary of State, the Department of State in their final environmental impact statement would indicate that the pipeline was going to be approved. So they bought this material many months ago to try to keep costs down.

And I will tell you, from the information that we have, 74 percent of the pipe was milled here in North America. In fact, it's milled in four different locations. Not all of them are in North America. The steel comes from seven different sources. Some of it from America and some of it not from America. But the reality is that, if we adopted this amendment, the permit would not be issued because the applicant cannot certify that 75 percent comes from America because it bought this material a long time ago. And, I might add, there's not one dime of taxpayer money in this project.

So our feeling is that, the practical aspect is that, if you would basically stop the building of this pipeline, we would lose all those jobs, we would lose all the additional oil that we would be getting, and we believe that there would be more negatives from it than there would be positives.

And one other comment that I would make is that the American Iron and Steel Institute, which represents many of the companies that Mr. DOYLE is concerned about, is supporting our legislation. We have the letter that they support this legislation, and they support building the pipeline.

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

□ 1630

Mr. WHITFIELD. I yield myself an additional 30 seconds.

Five of the major labor unions in America support this legislation because they recognize the additional jobs that will be available to them in the construction of the pipeline. So for that reason, reluctantly, I oppose Mr. DOYLE's amendment, and I reserve the balance of my time.

Mr. DOYLE. Mr. Chairman, at this time I would like to yield 1 minute to the gentlelady from Ohio (Ms. SUTTON).

Ms. SUTTON. Thank you, Mr. DOYLE, for your leadership. This is a great amendment. It's a commonsense amendment. Now we don't know if the XL pipeline will be built. Many have strong opinions on whether or not it should be built at all. But one thing that we should all agree on is, if it is built, it should be built with materials made right here in America.

You see, when we talk about producing energy in America, that doesn't just mean oil, gas, wind, nuclear, and

other sources that power our homes and businesses. It means materials used to extract, refine, and transport that energy. And why does it have to happen that it needs to be American-made materials? Because it means jobs, good-paying jobs that can help to strengthen our middle class. It means stronger communities and a stronger economy at a time when we need that now more than ever. And it means a future with more security and more certainty for the next generation.

This pipeline is going to run through America; it should be made of American iron, steel, and manufactured goods. I ask all of my colleagues to join me in supporting this commonsense amendment and supporting the American middle class and in supporting American jobs.

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

Mr. DOYLE. Mr. Chairman, how much time do I have?

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

Mr. DOYLE. I would like to yield 30 seconds to the gentleman from Texas (Mr. GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I support the Keystone pipeline, but I found out this last Monday, and I've asked, and I know the chair of our Energy Committee has heard me ask about a project labor agreement that's for the whole pipeline but it doesn't cover Texas. The largest State along the route does not have a project labor agreement with TransCanada. TransCanada maybe didn't deceive me, but they sure didn't answer the questions when I asked them in our committee. I've talked to them about that. I know our labor support nationwide, they have a project labor agreement from the Canadian border to the Oklahoma border, but not for the biggest part of it, in the State of Texas, and I'm going to work with them because it's important to see that the job be done safely.

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

My good friend from Kentucky, and he is my good friend, more or less has just said that the amendment can't go through because it's impossible for TransCanada to certify what they said was true. They've misled us. I think we just ought to be honest with the American people. It's obvious from the discussion today and from past discussion that this steel is not being manufactured in North America. It may be finished in North America at some of these plants, but no steel was made in North America. Congress has been misled. This is not a way for a company to do business. They're a private company. They can use anybody they want. What they can't do is lie to Congress.

Mr. Chairman, I ask for a "yes" vote, and I yield back the balance of my time.

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

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

Mr. WHITFIELD. I might reiterate once again, this is a private company spending \$7 billion of their own money. Before any of this ever became an issue, they acquired this material. They spent over \$2 billion acquiring this material. Everybody is talking about jobs. One of the reasons they're offering this amendment is because of jobs. Well, there's nothing we can do about the material that's already been acquired. It's already purchased. So all we would do if we pass this amendment is we would make sure that the permit for this pipeline would not be issued. This material, all this \$2 billion worth of steel, would be moved to Canada. They would build the pipeline to the west coast and move all of the oil to China, and they would get the construction jobs. So we would end up with no jobs.

I know the gentleman's intentions are the very best, and we all are concerned about the issue, but there are no taxpayer dollars involved in this. It is a private company. They have already acquired this material. This never became an issue until, I suppose, about a month ago, and the material was even acquired at that point.

So I would respectfully request that Members oppose this amendment. Let's build this pipeline and let's help America be less dependent on foreign oil, and I yield back the balance of my time.

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

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

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

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

#### AMENDMENT NO. 5 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 112-398.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Beginning at page 926, line 3, strike subtitle A of title XVII.

Page 976, line 20, strike "50" and insert "51".

The Acting CHAIR. Pursuant to House Resolution 547, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, my amendment gets to the heart of what sustains our western communities from

Colorado to California to New Mexico to Montana—our water and our land.

My amendment is the answer to concerns from my constituents in Colorado, outcries from farmers, from ranchers, local communities, from sportsmen, from recreationists, and from many others who know this bill threatens their livelihoods, and my amendment corrects that component.

This bill contains a troubling oil shale provision. Now, it was originally included to help pay for the bill's overall cost, but it was found to provide no revenue. So how can something help pay for a bill when it provides no revenue? With the CBO score confirming it receives no revenue, there is, therefore, no reason to include it. We might as well simply take up any random natural resources bill. And, in fact, the whole discussion of oil shale certainly deserves its own discussion. And since it is not going to help pay for our highways, I would urge my colleagues, even if they are supportive of this end product, to remove this from this bill.

Let me be clear, my amendment has nothing to do with one form of energy over another. You'll probably hear people from both sides of this argument talk about the potential for oil shale in the future. It's not about dirty or clean forms of energy; it's simply about common sense. If the technology doesn't exist and it won't bring in revenue, why is it being considered as a revenue provision for an unrelated infrastructure bill?

We've all heard of former Presidential candidate Herman Cain's 9-9-9 plan, but the oil shale section of this bill is a zero-zero-zero plan—no revenue, no jobs, and no energy. It mandates we lock up land at fire-sale prices to those who are connected enough to make bids for a technology that doesn't even exist and would threaten jobs, would threaten water in western Colorado, and threaten our western way of life.

My amendment simply strikes that section, leaving revenue for the overall bill unaffected, and keeps our western lands and waters as they currently are, outside of what's supposed to be an infrastructure and transportation bill.

Now, you might hear some hold up Estonia as an example of oil shale development, but by all accounts, Estonia oil shale has been an economic disaster. Even Jim Bartis with the RAND Corporation said: "To our knowledge, oil shale in Estonia is not even used to produce transportation fuels."

You'll also hear that we're the Saudi Arabia of various energy resources. Now, I continue to question the wisdom in looking to Estonia and Saudi Arabia for leadership in energy independence for our country. Even industry insiders know that a provision like the one contained in this bill is simply the wrong thing to do.

Jeremy Boak, a professor who heads the industry-sponsored Center for Oil Shale Technology at the Colorado School of Mines, said that he's doubtful

that any firm would even bid on commercial leases, leaving them to speculators. He also said: "It isn't obvious to me yet that we need to be putting a bunch of commercial leases out there because no one has a commercial process yet."

That's something that industry admits. There's no feasible, cost-effective commercial process for extracting oil from shale. We're talking about a potential technology, one that will have profound implications on water, profound implications on land use, and, yes, profound implications on national energy policy, but it's a technology that doesn't exist.

This component of the bill, if we don't remove it, will simply remove speculators rather than those who can actually play a meaningful role in providing for our energy independent future. I strongly encourage my colleagues on both sides of the aisle to support this commonsense amendment, and I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I claim time in opposition to this amendment.

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

Mr. LAMBORN. I rise in strong opposition to this amendment. It would strike a key provision of the bill that would provide American jobs and tap into a potential natural resource, American oil shale.

This amendment also increases the Federal take from drilling in ANWR from 50 to 51 percent, leaving the State of Alaska with that much less.

Now, proponents of this amendment will argue that we should get rid of the oil shale provisions because the technology is not proven. Estonia does get a sizable amount of energy from oil shale currently. I would like to ask why is the proponent of this amendment so concerned that this is going to be a big thing in the future and affect the western way of life if he thinks it's never going to take off and amount to anything. You know, he can't have it both ways.

So why don't we let the companies experiment at their own expense, on their own dime, and see if they can find a commercial, viable process that works to extract this hugely potential source of energy.

□ 1640

The USGS has estimated that there are 1.5 trillion—with a "T"—barrels of oil equivalent in these oil shale formations. I think it's worth at least experimenting to see if it can be commercially extracted because that would be a huge relief from having to get foreign oil, and it would create money for the treasuries of States and the Federal Government and create American jobs as well as the security aspect.

So I just don't see why there's such opposition to this when they say it's not going to work. That just doesn't make sense. They can't have it both

ways. I say, let the companies experiment at their own expense and at no cost to the taxpayer.

So, I strongly urge opposition to this amendment, and I reserve the balance of my time.

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

Perhaps my friend and colleague from Colorado isn't aware that there already is extensive experimentation about the potential of oil shale to meet our energy needs. In fact, there are millions of dollars spent every year in research that industry itself has invested in this technology.

Furthermore, there are 3 million acres of oil shale lands in Colorado, Utah, and Wyoming that are under State, private, or tribal leadership and have been for decades. In fact, several large companies alone already control 200,000 acres of oil shale lands. There are a couple of sites in Colorado where they're looking to try to develop cost-effective methods. In fact, by the end of 2012, there will be nine active Federal research and development leases. No one has figured out a cost-effective way to develop these areas.

Again, this is not about the research. In fact, after the second round of bids in early 2009, when the Obama administration affirmed the Bush administration's decision regarding a second round of R&D leasing, there was a significant reduction in industry bids. Industry itself was even less interested in trying to figure out this because it's been a nut that they've been unable to crack for nearly 100 years.

This amendment is not about the environment. It's about common sense.

Mr. Chairman, I inquire how much time remains?

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

Mr. POLIS. Well, I urge my colleagues on both sides of the aisle to strongly support this commonsense amendment to preserve our land, our jobs, and our water in the West.

Mr. LAMBORN. Mr. Chairman, I would just like to point out that this is one more example of the Obama administration stifling the production of domestic energy in this country. They put out restrictive regulations that made it so untenable for commercial companies to even go into the research and development leases after President Obama took office that there was little interest in pursuing under the new format.

So we need to go back to the previous way of offering these leases so there is at least interest on the part of industry, at their own expense, to see if this technology is commercially viable.

So, once again, I would just ask the question, why is there opposition to something that they say is not going to work? We don't know if it's going to work or not. And with the possibility of 1.5 trillion barrels' equivalent of oil, let's at least let that happen to see if that can be feasibly explored, developed, and produced.

We have nothing to lose. This is a great win for the American consumer, especially should a commercial application and scalable venture be produced. It would create energy, jobs, and money for the Treasury.

I urge strong opposition to this amendment. I have to disagree with my friend and colleague from Colorado on this particular issue, and I urge a "no" vote.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 6 OFFERED BY MR. HASTINGS  
OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 112-398.

Mr. HASTINGS of Washington. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 935, line 7, strike "two other lease blocks" and insert "1 other lease block".

Page 937, after line 13, insert the following:

(3) NATIONAL DEFENSE AREAS.—The United States reserves the right to designate by and through the Secretary of Defense, with the approval of the President, national defense areas on the Outer Continental Shelf pursuant to section 12(d) of the Outer Continental Shelf Lands Act (43 U.S.C. 1341(d)).

Page 941, beginning at line 1, strike "1 year after the date of enactment of this Act" and insert "December 31, 2015".

Page 945, line 8, strike "two other lease blocks" and insert "1 other lease block".

Page 946, after line 22, insert the following:

(3) NATIONAL DEFENSE AREAS.—The United States reserves the right to designate by and through the Secretary of Defense, with the approval of the President, national defense areas on the outer Continental Shelf pursuant to section 12(d) of the Outer Continental Shelf Lands Act (43 U.S.C. 1341(d)).

The Acting CHAIR. Pursuant to House Resolution 547, the gentleman from Washington (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

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

Mr. Chairman, this is essentially a technical manager's amendment making changes agreed to with the Armed Services Committee in order to ensure that we are fully respecting the needs of our Nation's military.

It adds further protections to those already included through the bill to ensure any production and our Nation's national defense cooperatively coexist in our Nation's offshore areas.

This amendment also includes a slight adjustment to the timing of the leasing of one offshore area off the coast of Alaska. In fact, it moves it back to 2015.

So these have been talked over with the minority. I encourage my colleagues to support the amendment, and I reserve the balance of my time.

Mr. MARKEY. Mr. Chairman, I rise to strike the last word.

The Acting CHAIR. Does the gentleman claim time in opposition?

Mr. MARKEY. I claim the time of the minority.

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

Mr. MARKEY. I thank the Chairman.

I will say that this amendment marginally improves the bill, but it does not change our fundamental opposition to it. But progress on any front is welcomed, even if we cannot make progress on every front.

Mr. HASTINGS of Washington. Will the gentleman yield?

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

Mr. HASTINGS of Washington. I would totally agree with you. Progress in any way is beneficial. So I appreciate the gentleman's accepting the amendment.

Mr. MARKEY. We do not oppose the amendment, and I yield back the balance of my time.

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

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

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MRS. CAPPS

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 112-398.

Mrs. CAPPS. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Beginning on page 938, line 3, strike section 17304.

Beginning on page 948, line 3, strike part 4.

The Acting CHAIR. Pursuant to House Resolution 547, the gentlewoman from California (Mrs. CAPPS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. CAPPS. I yield myself such time as I may consume.

Mr. Chairman, this is a straightforward amendment, and it is overwhelmingly supported by my constituents, so I hope we can all agree to it.

The amendment strikes a harmful and unnecessary provision in the underlying bill that mandates new drilling—mandates new drilling—in the sensitive waters off Santa Barbara and Ventura counties in California.

The majority says this new drilling is necessary to help fund the transpor-

tation bill. But according to CBO, any new drilling off southern California would, at best, generate tens of millions of dollars in revenue, while the gap in transportation funding is measured in the tens of billions of dollars.

Mr. Chairman, leaving aside the specious funding arguments that the authors of the bill have made, the people most affected, my constituents, don't want new drilling. My colleagues have heard me invoke Santa Barbara's devastating 1969 oil spill before. And that's because it galvanized central coast residents and virtually the whole State of California against more offshore drilling. We were outraged by the damage to the environment, the wildlife, and to our economy. And we understood the havoc that similar blowouts would wreak upon our economy, especially tourism and fishing industries.

It's why California permanently banned new oil and gas leasing in State waters in 1994. It's why Californians fought to pass groundbreaking environmental laws like the National Environmental Policy Act and the Coastal Zone Management Act. It's why some 24 city and county governments, including both Santa Barbara and Ventura counties, have passed measures requiring voter approval before any new onshore facilities to support offshore drilling could be built. And it's why in 2008 then Republican Governor Schwarzenegger told President Bush and Congress to oppose new drilling off the west coast.

More recently, an oil company in Santa Barbara thought it could capitalize on the high gasoline prices by placing a measure on the ballot to allow slant drilling from the shore.

□ 1650

That plan was rejected by 70 percent—that's right, 70 percent—of the voters in the community that was affected by it, Carpinteria, California. That was just in 2010.

We're also aware of the Pentagon's concerns with new drilling in our area so close to Vandenberg Air Force Base. In a 2008 letter to an oil company proposing to slant drill from the shore, the Air Force replied—and I have a copy of the letter to submit with my statement:

A drilling and production facility would present a wide range of significant operational constraints, inconsistent with Vandenberg Air Force Base's national space launch mission.

Mr. Chairman, Californians have spoken loud and clear: we do not want more drilling off our shores. We want to protect our coastline from the devastation that the 1969 oil spill brought to Santa Barbara. Now, because of this legislation, these communities are at risk again. It's not just the new drilling mandate in this bill, but also because the bill would gut critical environmental laws like CZMA and NEPA, the very laws passed in response to the 1969 spill off the Santa Barbara coast.

It's outrageous. This bill specifically denies California—and only Cali-

fornia—any role in new offshore drilling decisions under the Coastal Zone Management Act. It also removes California citizens' ability to voice their concerns about new drilling during the environmental review process.

I find it ironic that some of the same people in this body who decry an over-arching Federal Government seem to have no qualms about forcing new drilling upon a local population which is directly against its wishes. This heavy-handed, know-it-all approach rubber-stamps destructive drilling, cuts out environmental reviews, and closes down the public input. Might be good policy for oil companies; but it's bad policy for my constituents, and it's bad energy policy for our Nation.

So, Mr. Chairman, American families want us to pass a balanced transportation bill that creates jobs, fixes our roads and bridges, and ensures that they have a safe way to get to work and back home again. They don't want more politics, especially the kind that puts our coasts, our communities, and our very way of life at risk. So I urge my colleagues to join me in striking these harmful, unnecessary provisions from this bill.

DEPARTMENT OF THE AIR FORCE,

OFFICE OF THE ASSISTANT SECRETARY,

Washington, DC, June 25, 2008.

Mr. RAY G. CHARLES,  
*ExxonMobil Exploration Company,*  
*Houston, TX.*

Mr. ROBERT E. NUNN,  
*Sunset Exploration, Inc.,*  
*Brentwood, CA.*

DEAR MESSRS CHARLES AND NUNN: We have evaluated your proposal to leverage your option to lease on-shore, sub-surface mineral rights beneath 7,780-acres of South Vandenberg Air Force Base (VAFB) to establish oil and gas drilling and production facilities on 25-acres near Space Launch Complex (SLC) 5 for directional drilling into off-shore reserves.

I believe it would be premature to proceed with the National Environmental Policy Act (NEPA)/Environmental Impact Statement (EIS) evaluation of your desired location for the reasons stated below. A drilling and production facility at your proposed location would present a wide range of significant operational constraints, inconsistent with VAFB's national space launch mission. Most significantly, your proposed location is within the Impact Limit Lines of all of our active SLCs; it is within the SLC-5 explosives safety clear zone, eliminating SLC-5 as an optional platform for the approximate 40 year life of the Vahevala project; and in the event of a natural disaster or catastrophic mission failure at any of the SLCs, the presence of the facility would severely complicate emergency response. Consistent with these concerns, the Air Force cannot provide you access to your desired 25-acre location on South VAFB.

We do understand that if you exercise the option to lease, you will be entitled to reasonable access to onshore, subsurface minerals. Any drilling and oil or gas production on South VAFB would still hamper execution of space launches and create operational impacts. However, there are areas which may present less operational impact than your proposed 25-acre site west of SLC-5. They are generally in the northern and eastern portions of South VAFB, within the 7,780-acre option to lease.

We recognize the Air Force's discussions with you regarding the Vahevala project

have been protracted. Please accept my personal assurance that this has been due to diligent examination of the proposal at the several levels of command that support the space launch mission at VAFB. As a result of this diligent examination, our military commanders have decided it is simply not consistent with their most fundamental mission responsibilities.

As the Deputy Assistant Secretary of the Air Force for Energy and the Environment, I am keenly aware of the crucial contributions of your industry to our nation, and to the national defense. I salute you for your initiatives to enhance the energy security of America, and look forward to the possibility of collaborating with you on projects that might be synergistic with the Air Force mission.

Sincerely,

KEVIN W. BILLINGS,  
Deputy Assistant Secretary,  
Energy, Environment,  
Safety and Occupational  
Health.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise to claim time in opposition to this amendment.

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

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

Mr. Chairman, according to the U.S. Census, the State of California's largest import is petroleum. Let me repeat that, Mr. Chairman. According to the U.S. Census Bureau, the State of California's largest import is petroleum. So I guess it's a good thing that private geologists estimate that over 1.6 billion barrels of American-made energy are ready and waiting to be developed from existing infrastructure in southern California.

What does existing infrastructure mean? Well, there are currently about 23 oil and gas platforms located offshore in southern California which account for about 24 million barrels of oil and 47 billion cubic feet of gas annually. The lease sale proposed in this legislation allows drilling from existing platforms or, to put it in another vernacular, those that are already in place. If we are going to have a serious discussion about offshore drilling, it makes perfect sense to drill not only where there is already drilling going on, but from where the platforms already exist, which is why this bill specifically states: "no new infrastructure."

We need to drill where there are known resources, and this California lease sale is a commonsense way to limit the drilling footprint while accessing our resources that are known in southern California. In fact, Mr. Chairman, the State of California is already working with the Bureau of Ocean Energy Management on a permit to allow a company to drill from an existing platform in Federal waters into State waters for State resources.

Let me say this: the State of California has entered into the same concept that's embodied in this bill. So let me repeat here one more time. It's

Governor Brown's administration that is pursuing drilling off these same platforms closer to the coast.

Additionally, this amendment completely eliminates all coastal States and U.S. territories from receiving fair and equitable income for drilling that would occur potentially off their shores. This means States like Florida and Virginia will not receive any portion of any revenues for drilling that will occur off their coasts under this bill if this amendment were to be adopted.

The underlying bill is a drill-smart plan that directly focuses on those offshore areas where there are known resources. That includes the vast resources of southern California. This amendment would lock away significant resources that belong to the American people. It would keep our country shackled to the foreign powers upon whom we rely for oil and gas imports. It would also hinder our Nation's energy security.

This amendment also ignores the soaring gas prices that American families are facing at the pump right now. Many of those families don't have room in their budget to pay hundreds more dollars just to drive to work or drive their kids to school. And by the way, I might add, Mr. Chairman, I think if there is an epitome of an area in the country that does a lot of driving, it's in California.

We need to get America producing energy again. I urge my colleagues to oppose this amendment and vote for the underlying legislation.

With that, I reserve the balance of my time.

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

Mrs. CAPPs. I would just comment to remark that the very project that my colleague from Washington, my friend, described is the project that the local constituents rejected by 70 percent, the project that was mentioned. We are interested, in California, in ending drilling, not just stopping leasing.

Mr. Chairman, our Nation should be investing our time, our energy and creativity into real solutions that put us toward the path for clean-energy solutions for our future. We've seen time and time again that our congressional district doesn't want to be known for chasing after yesterday's energy solutions, but for leadership towards the renewable energy solutions of today and tomorrow.

I urge an "aye" vote for my amendment.

I yield back the balance of my time.

Mr. HASTINGS of Washington. How much time do I have left, Mr. Chairman?

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

Mr. HASTINGS of Washington. I yield myself the balance of my time.

Mr. Chairman, I just want to reiterate once again—and this is under-

standing that people in our great country have different views—I certainly understand what happened in southern California some 40 years ago. Listen, that picture is indelibly in everybody's mind. But nobody can argue there have not been advances in oil exploration in this country, and certainly in the OCS. But as a recognition of that, in this bill we didn't say just go anywhere you want to go in southern California. We said go to the existing platforms where you're drilling and existing infrastructure where there has been drilling.

Now, that seems to me to be a perfectly acceptable way to utilize the resources that we have—by the way, in Federal waters, not in State waters, in Federal waters—so that we can make ourselves less dependent on foreign energy.

The last thing I would say is the State of California is pursuing precisely the same thing that's embodied in this underlying bill, only in State waters.

So I urge my colleagues to oppose my good friend's amendment from southern California.

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

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

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

Mrs. CAPPs. I demand a recorded vote.

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

AMENDMENT NO. 8 OFFERED BY MR. BILIRAKIS

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part A of House Report 112-398.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 944, after line 22, insert the following new subparagraph:

(D) The Secretary shall conduct, and take into consideration the results of, an economic impact survey to determine any adverse economic effects that such lease sales within 100 miles of the western coast of Florida may have on the Florida Gulf coast fishing industry and tourism industry.

The Acting CHAIR. Pursuant to House Resolution 547, the gentleman from Florida (Mr. BILIRAKIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

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

With the national unemployment rate hovering around 8 percent—in my home State of Florida, its rate is close to 10 percent—there is no question that our Nation is hurting for economic

growth. This year, the focus of efforts here in the House of Representatives has centered on creating a framework for the private sector to innovate and grow, to create the jobs we desperately need. To that end, Mr. Chairman, my amendment seeks to take all prudent steps to ensure that jobs and the economy are the focus.

□ 1700

My amendment simply requires the Secretary to conduct an economic impact survey to assess any effect lease sales would have on the Florida tourism and fishing industries.

People from all over the world flock to the gulf coast of Florida specifically to visit our spectacular beaches, our parks, our waterways, and other recreational opportunities. More than 80 million tourists, Mr. Chairman, per year stay in our hotels, eat at our restaurants, and create many economic opportunities for Floridians.

The tourism industry is a multibillion-dollar industry for Florida and the national economy, Mr. Chairman. Florida's seafood and recreational fishing industries also contribute thousands of jobs and billions of dollars to the local economy.

Mr. Chairman, I strongly urge this House to adopt a commonsense measure to ensure that the Federal Government consider all ramifications of lease sales, and to ensure that the promotion of jobs and the economy remain the focus of any actions of our Federal Government.

I reserve the balance of my time.

Mr. MARKEY. I rise to claim the time in the minority.

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

Mr. MARKEY. I thank the Chair very much.

Mr. HASTINGS of Washington. Mr. Chairman, just a point. The issue is not claiming time in the minority or majority. The time is in opposition, and with that in mind, I would rise to claim time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. The gentleman is correct.

Is the gentleman from Massachusetts opposed to the amendment?

Mr. MARKEY. Mr. Chairman, there's no question that the gentleman from Washington State is correct, and a master of parliamentary rules, having stood up there or sat up there hundreds of hours, so he is an absolute correct dissector of language used here of seeking recognition from the Chair.

So I rise to claim the time in opposition to the amendment, if those are the technical words of art that the gentleman would prefer for me to use.

The Acting CHAIR. The gentleman from Massachusetts, a true opponent is recognized for 5 minutes.

Mr. MARKEY. I thank you.

This amendment would require a study to investigate potential economic impacts from a variety of risks

that oil development in the Outer Continental Shelf poses to local tourism and fishing economies in Florida.

Well, we actually had a real-world study for 87 days during the BP spill. As we saw in 2010, with the BP oil spill, oil can wreak havoc on a coastal community, meaning a disaster for tourism and fishing, seafood industries. These disasters can and do happen, putting hundreds of thousands of jobs and billions of dollars at stake.

It is important for the public to know the risks associated with allowing oil companies to drill off of our coast. But we should be protecting our beaches in Florida and California and New Jersey and Massachusetts, not just requiring a study of how huge a disaster a spill would be for these States.

We should be protecting the lives and the livelihoods of the people of the gulf by taking the lessons of the BP spill and turning them into new laws. But nearly 2 years after the BP spill began, this Congress has not enacted a single new law to improve the safety of offshore drilling. That is indefensible when the BP Commission found that we have a fatally flawed rate of accidents and fatalities in our country. Compared to the rest of the world, ours is four times higher than that in Europe, that is, the fatalities on our oil rigs. So that's the issue.

We have yet to increase the fines because only we can do that here in Congress. Right now, a lot of these oil companies think it's just the equivalent of a parking ticket. You know, if you could pay a parking ticket for a whole day on the main street of any one of the cities in the United States, you'd pay that \$1 parking ticket because it would be cheaper than paying 20 bucks to put it in a garage. And that's what we have right now. We have the equivalent of \$1 parking tickets that are assessed against oil companies that despoil the ocean, that result in, because of their faulty safety rules, the highest fatality rate in the world in terms of people who work on oil rigs.

At this point, I have completed my statement, and I yield back the balance of my time.

Mr. BILIRAKIS. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. HASTINGS), our distinguished chairman.

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

The gentleman's amendment will conduct this economic impact study only for the Eastern Gulf of Mexico OCS Planning Area, as defined in the bill. I understand and appreciate the gentleman's interest in protecting the multiple use of the OCS, and I join him in that interest. For decades, tourism, fishing, and oil and gas drilling have been compatible in the Gulf of Mexico, and there's no reason that the new areas opened up under this bill would not operate in the same way.

While I understand the interests of the gentleman to have this study for

those areas in the eastern Gulf of Mexico, I wish that he could have expanded the study to jobs that could have been created by new drilling and the support that comes with that activity.

While that's not embodied in the gentleman's amendment, I would only have to think that because you're having the study on that, there may be some residual, and I would look forward to that residual potentially also.

So I thank the gentleman and congratulate him for offering this amendment.

Mr. BILIRAKIS. I'd like to close briefly. Of course I urge passage of this reasonable, commonsense amendment, and I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. BISHOP OF NEW YORK

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part A of House Report 112-398.

Mr. BISHOP of New York. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 948, beginning on line 3, strike part 4.

Page 954, after line 19, insert the following new section:

**SEC. 176. PROHIBITION ON LEASE SALES IN CERTAIN AREAS.**

No oil and gas lease sale may be conducted for any area of the outer Continental Shelf (as that term is defined in the Outer Continental Shelf Lands Act (33 U.S.C. 1331 et seq.)) for which any of the States of New York, New Jersey, Connecticut, Rhode Island, Massachusetts, New Hampshire, or Maine is an affected State under section 2(f)(1) of the Outer Continental Shelf Lands Act (33 U.S.C. 1331(f)(1)).

The Acting CHAIR. Pursuant to House Resolution 547, the gentleman from New York (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. BISHOP of New York. I yield myself such time as I may consume.

Mr. Chairman, my amendment is very simple. It prohibits oil and natural gas lease sales off the coast of Northeast States, including New Jersey, New York, Connecticut, Rhode Island, Massachusetts, New Hampshire and Maine. Furthermore, my amendment is paid for by striking language in the bill related to Outer Continental Shelf revenue sharing in Section 17501.

I appreciate the Rules Committee making my amendment in order because this amendment will protect the coastline of New York and other Northeast States. I also thank my cosponsors, including Mr. CROWLEY, Mr. RANGEL, Mr. PASCRELL, Mr. CAPUANO, and Ms. PINGREE.

Mr. Chairman, I represent the last 70 miles of eastern Long Island, where the primary industries are travel and tourism, everything to do with the second

home market, agriculture, and the fishing industry. Thus, in my district, the environment is the economy in many respects. It can ill-afford a disaster like Gulf Coast States endured during the Deepwater Horizon oil spill in 2010. Oil-soaked beaches would devastate Long Island's economy, let alone the environment, and there is no reasonable person who can disagree with me on this point.

The Republican drilling proposals to offset the highway bill would raise less than \$4.3 billion over 10 years, according to CBO, or less than one-tenth of the revenue actually needed.

Combine this with the other funding mechanisms for the highway bill, and Republicans are paying for their reckless legislation on the backs of middle class families. For example, the Republican spending package will require Federal employees to increase their pension contributions while reducing their benefits.

Worse, as of this moment, they are using Federal employees' pension contributions to offset costs in two completely separate proposals: the highway bill and the payroll tax cut package for unemployment benefits and the doc fix.

This isn't being honest with the American people. I would ask the Republican leadership to check their numbers again.

Mr. Chairman, I urge my colleagues to support my amendment and oppose the underlying bill.

I reserve the balance of my time.

□ 1710

Mr. HASTINGS of Washington. Mr. Chairman, I rise to claim time in opposition to the amendment.

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

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

Mr. Chairman, the Outer Continental Shelf and the resources it contains are under the jurisdiction of the Federal Government, and therefore it belongs to all of the people of the United States as a whole. These Federal offshore resources are unlike Federal lands and onshore resources outside the borders of the States. Each individual State controls several miles offshore of their coasts, and that varies State by State. But beyond that point, the Federal lands are owned by the Federal Government and its resources.

This bill, underlying legislation, is a drill-smart plan that directly focuses on those offshore areas where there are known resources. Federal assessments estimate that the North Atlantic contains nearly two billion barrels of oil and nearly 18 trillion cubic feet of gas. Using modern technology, it's highly likely that the find could be even more than what is estimated.

This amendment, then, would lock away those resources from the American people who, as I mentioned a moment ago, own them.

Not too long ago, the entire OCS was under moratoria. Offshore drilling in

this country was prohibited. When the gas skyrocketed past \$4 a gallon in 2008, the American people collectively said, No more. The American people cried out and demanded that Congress act, and we did by lifting the moratoria.

In fact, what the American people found out, Mr. Chairman, at that time is that we had tremendous potential resources here that we weren't utilizing. That's why they cried out and said, Okay. Let's end the several moratoria.

Now, this amendment proposes to reverse the will of the American people, to ignore the high cost of gas at the pump, to ignore that prices are again climbing towards \$4 a gallon, and to ignore that our Nation's security is strengthened when we get our energy from here in this Nation and not from hostile foreign nations.

The American people want to increase American energy production and jobs, not stifle American energy production. Let's not forget that we are creating American oil and gas that can be refined and used here. Some of the States that want to shut down production off their coasts are the highest consumers of these fuels that they would have shut down.

Additionally, this amendment completely eliminates all coastal States and U.S. territories from receiving a fair and equitable revenue for drilling that would occur off their shores. That means States like Florida and Virginia and others that would like to participate could not receive a portion of the revenues for drilling that would occur off their States under this bill.

Finally, I would like to say this because we have had a long discussion today in debate, and I've heard my colleagues on the other side of the aisle say, We love natural gas. I'm not sure if it was said with that same cadence, but the message was there.

Listen, Mr. Chairman, nearly 18 trillion cubic feet of natural gas lies off the Atlantic Coast. Can you imagine how much easier it is to get that to market than shipping it from someplace else?

So I would urge rejection of this amendment.

I reserve the balance of my time.

Mr. BISHOP of New York. Mr. Chairman, may I inquire as to how much time I have left.

The Acting CHAIR. The gentleman from New York has 3 minutes remaining.

Mr. BISHOP of New York. I yield 1 minute to the gentledady from Maine (Ms. PINGREE).

Ms. PINGREE of Maine. Mr. BISHOP, thank you for allowing me this time.

Mr. Chairman, this amendment would prohibit any oil and gas drilling on the Outer Continental Shelf in the northeast, including my home State of Maine. An accident or a spill off our coast would be devastating to our working waterfronts. We don't have to look any further than the Deepwater Horizon disaster to see the damage an

accident can do to a coastal economy. Not only that, but it would be decades before any oil that is discovered would ever make it to market, decades that should be spent researching and investing in new sources of clean energy and breaking our dependence on oil.

The Republican proposals of this bill would not only carelessly expand the permitting for current gas and oil leases but also encourage expanded drilling.

I ask my colleagues to join me in supporting this commonsense amendment and voting against this ill-conceived bill.

Mr. HASTINGS of Washington. Mr. Chairman, I will continue to reserve the balance of my time since I have the right to close.

Mr. BISHOP of New York. Mr. Chairman, I am prepared to close as well, so I will yield myself the balance of my time.

I would say to my friend from Washington that I would find his argument and I would find the statistics that he cited somewhat more persuasive if this Congress had enacted any reforms, any safeguards to protect our coastline from the kind of disaster that affected the Louisiana and the Florida coast in the wake of the BP oil spill.

We have not put in place a single piece of legislation that would make offshore drilling safer. We have not put in place a single piece of legislation designed to prevent the kind of disaster that took place in the gulf. We are continuing to rely on the sort of slipshod environmental reviews that preceded the granting of leases in the gulf, and I think to expose certainly my region, Ms. PINGREE's region, to the kind of disaster that the gulf was exposed to without putting in place those safeguards is simply unwise, not worth \$4.3 billion to fund a bill that most of us feel is a very flawed bill to begin with.

So I would urge adoption of my amendment. As I say, I would urge defeat of the underlying legislation.

I yield back the balance of my time.

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

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

Mr. HASTINGS of Washington. I yield myself the balance of my time.

Two points, Mr. Chairman: first of all, the gentleman suggests that this Congress and this House, led by Republicans, have not done anything as far as safety offshore. I would just remind the gentleman that through the appropriations process there has been a tremendous increase in precisely what the Obama administration was asking for safety. The Obama administration has said essentially that it is safe, although I would argue they should be more aggressive; but they say it's safe to drill. So that argument I don't think really has a great deal of bearing.

But more importantly, I would say this: the port of Boston has a liquid natural gas terminal, and they are importing natural gas from Trinidad and

Yemen, hardly a stable community or country in the Middle East. Right now, right off the coast of Nova Scotia, just north of this area that we're talking about, there is natural gas drilling going on.

So certainly, if we want to be less dependent on foreign oil and foreign energy and we like natural gas, like a lot of my friends on the other side of the aisle have talked about, then we should reject this amendment and adopt the underlying bill.

With that, I urge rejection of this amendment, and I yield back the balance of my time.

Mr. PASCRELL. Mr. Chair, I rise in strong support of Mr. BISHOP's amendment, of the Bishop/Crowley/Rangel/Pascrell/Pingree Amendment (#43) to strike sections of this bill that would open parts of the Atlantic coast, including the shores of my home state of New Jersey, to offshore drilling.

Setting aside the precedent we are setting here by funding a transportation authorization with revenues from energy development instead of user fees, House Republicans have clearly failed to learn the lesson from the catastrophic economic and environmental consequences of the 2010 Deepwater Horizon oil spill in the Gulf of Mexico. For one, this bill fails to introduce any comprehensive new safety standards, such as the commonsense steps recommended by the President's bipartisan Oil Spill Commission in the wake of the Deepwater Horizon spill.

In light of that, I am especially concerned that this bill could result in new drilling in the Atlantic Ocean, including off of the shore of my home state of New Jersey. The people of New Jersey strongly oppose opening our shores to offshore drilling. A whopping 63% of New Jersey residents oppose oil and gas drilling off the coast of our state according to a 2010 Monmouth University poll, and through this legislation, the Tea Party wants to force the people of New Jersey to hand over our beaches to the oil companies.

New Jerseyans oppose offshore drilling because they understand the potentially devastating effects it could have on our economy in the event of a spill. The tourism and fishing industries support hundreds of thousands of jobs and billions of dollars in economic activity across the state and region. In fact, tourism is New Jersey's second largest industry, supporting jobs for over 500,000 people and generating over \$50 billion in economic activity for the state each and every year. The people who make their livings in this industry depend on the responsible stewardship of our waters and coasts for their livelihoods. Risky new drilling could put these jobs in jeopardy, potentially destroying more jobs than it would create.

I strongly urge my colleagues to support this amendment, which is fully paid for, and reject opening the northeast to new offshore drilling. Instead, we should be supporting and encouraging alternative energy development off our shores, as I have tried to do by introducing H.R. 3238, the Incentivizing Offshore Wind Power Act. New Jersey is primed to be a leader in the offshore wind industry, and this bill will create jobs and increase renewable domestic energy production in the Garden State.

Instead, by continuing to invest in further digging and drilling for oil rather than search-

ing for new sources of energy, as the bill in front of us proposes we do, we will only end up digging ourselves a deeper hole.

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

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

Mr. BISHOP of New York. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 10 OFFERED BY MR. RICHMOND

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part A of House Report 112-398.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 952, beginning on line 17, strike "Federal program" and insert "Federal program, except in the case of a project for coastal wetlands conservation, coastal restoration, or hurricane protection, or an infrastructure project directly impacted by coastal wetland losses".

The Acting CHAIR. Pursuant to House Resolution 547, the gentleman from Louisiana (Mr. RICHMOND) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. RICHMOND. Mr. Chairman, what this amendment simply does is it allows those Gulf Coast States to invest their oil and gas into their States in terms of coastal restoration.

I would tell you, Mr. Chairman, that Louisiana, since 1950, has contributed over \$160 billion to the Federal Treasury; and, in return, Louisiana has received some of the same benefits as other States have received. However, one unique thing that we've received is a tattered coast line.

Louisiana loses almost a football field an hour in terms of our wetland laws. What this amendment would do is allow us to take some of those revenues that we receive and invest that back into restoring our coast.

I will tell you also, Mr. Chairman, that restoring Louisiana's coast is a very monumental task; and the people of Louisiana, the people of all of the gulf coast communities are willing to step up and take not only their own resources but resources they receive from the Federal Government in terms of any revenues or royalties they will receive and put those back into coastal restoration, making sure that we have wetlands.

□ 1720

Because when we talk about the damage that has been done to Louisiana by the BP Deepwater Horizon oil spill, that event cost us 11 Louisiana citizens. Katrina, Rita, Gustav, and Ike

cost the gulf coast community the lives of almost 1,600 of its citizens. When we talk about our wetlands, that's our first line of defense in preventing the damage of a hurricane. So, while we are willing to sacrifice our coast and those things so that we can have a stable energy sector in this country, we also recognize that we should invest back in it to make sure the citizens are safe.

With that, I reserve the balance of my time.

Mr. HASTINGS of Washington. I claim time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

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

The proposal of the gentleman from Louisiana has merit. I commend him for proposing it, and I do urge its adoption.

The goal of revenue sharing in the bill is to allow States the flexibility to use the money they want with their local States. If this is what the gentleman's State wants to use its money for, I have no problem, and I certainly agree with him. In fact, I would emphasize one other point:

Since I've had an opportunity to visit the gentleman's State and to see firsthand what it has done with the initiative, I think that it is a tremendous template for other States, which is precisely why, in the underlying bill, we have the component of revenue sharing. It is for other States to, maybe, emulate what Louisiana has always done.

So I think the gentleman's amendment is certainly compatible with what we're trying to do. It is a good amendment, and I commend the gentleman for that.

I yield back the balance of my time.

Mr. RICHMOND. Mr. Chairman, I would just simply close by thanking the gentleman and by saying that what the amendment does is really allow the gulf coast communities to invest in their own futures while continuing to invest in the energy future of America.

Mr. Chair, Louisiana has contributed over \$160 Billion to the Federal Government through offshore oil and gas revenues—primarily from oil and gas exploration off of Louisiana's coast. From the 1950s until 2006, Louisiana didn't receive any royalties. We have received funding from the Federal government like other states, but our royalty over those 56 years has a tattered coastline.

Louisiana loses 25 square miles of coastal wetlands every year or 1 football field every hour. Our state has 40 percent of the nation's wetlands, but experiences 80 percent of all wetland loss. Part of the reason is nature, but besides blocking off the natural flow of the Mississippi River, oil and gas canals are big culprits.

The bill before us creates a revenue sharing scheme for east and west coast states but does not allow the states to use these royalties as matching funds for federal programs.

I can tell you that right now, because Gulf coast states are receiving a very small amount of money from oil and gas production off their shores, much of the time, the Gulf states use these funds as their required cost share of Corps of Engineers and Department of Interior projects for coastal restoration, hurricane protection, wildlife restoration, and other disaster mitigation projects.

My amendment would give states the option to use oil and gas revenues as their state cost share of federal projects for "coastal wetlands conservation, coastal restoration, hurricane protection, or infrastructure projects directly impacted by coastal wetland losses."

I think that coastal states like California, Alaska and Virginia which are embarking on offshore energy production will want the flexibility to spend their revenues on projects that strengthen and protect their coastline. Without this amendment, revenues derived from offshore oil, gas and renewable energy could not be used for these critical projects.

This amendment would help the coastal states help themselves without tapping into the Federal Treasury. We don't want to be dependent on Federal Fund. We want to invest in our own future while we protect America's energy future.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. LANDRY

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part A of House Report 112-398.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Beginning on page 952, line 19, strike section 17501(b) and insert the following:

(b) LIMITATION ON APPLICATION.—Subsection (a) and the amendment made by subsection (a) shall not affect the application of section 105 of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109-432; (43 U.S.C. 1331 note)), as in effect before the enactment of this Act, with respect to revenues received by the United States under oil and gas leases issued for tracts located in the Western and Central Gulf of Mexico Outer Continental Shelf Planning Areas, including such leases issued on or after the date of the enactment of this Act.

(c) AMOUNT OF DISTRIBUTED QUALIFIED OUTER CONTINENTAL SHELF REVENUES.—Section 105(f)(1) of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109-432; (43 U.S.C. 1331 note)) is amended by striking "2055" and inserting "2022, and shall not exceed \$750,000,000 for each of fiscal years 2023 through 2055".

The Acting CHAIR. Pursuant to House Resolution 547, the gentleman from Louisiana (Mr. LANDRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. LANDRY. Mr. Chairman, this is a bipartisan amendment offered in cooperation with my good friend, the gentleman from Louisiana, Mr. CEDRIC RICHMOND.

As the gentleman said earlier, Louisianians invented offshore oil exploration, and it has been drilling off its coast ever since the mid-1940s. Yet, for the first 60 years of drilling off the coast of Louisiana, our State and other Gulf Coast States had received no money—not a dime—from the revenue derived from these wells.

Starting in 2007, Congress passed an act called the Gulf of Mexico Energy Security Act. This act provided that a small portion of offshore revenues would finally start to trickle in to our Gulf Coast States. Those of us in the Gulf Coast States will continue to receive a small portion of those revenues through 2017 when, at that time, we will start to receive the 37.5 percent of the offshore revenue of each of those wells producing at that time. However, in GOMESA, it included a cap so that, collectively, those four Gulf Coast States could never receive more than a collective amount of \$500 million.

As the current bill is now going to provide revenue sharing without a cap for additional States, we are simply asking for fundamental fairness here in that the cap of \$500 million be raised to \$750 million. That's what this amendment does. This amendment simply raises the collective cap amongst those four States from \$500 million to \$750 million, reminding everyone that there will be no cap on the additional States.

I reserve the balance of my time.

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

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

Mr. MARKEY. If this amendment passes, Mardi Gras will come on the Wednesday before Fat Tuesday this year. That's because the Landry amendment delivers up to \$6 billion in a financial King Cake to Louisiana and to the other Gulf States at the expense of the other 46 States in the Union.

In 2006, the Republican Congress passed legislation that will divert \$150 billion over the next 60 years from offshore drilling on public lands to the four Gulf Coast States—Louisiana, Mississippi, Alabama, and Texas. That bill set up what amounts to a new entitlement program for these four States, which will result in a massive transfer of wealth from the Federal Government. This amendment would send \$6 billion to these four States on top of that \$150 billion they will already be getting.

These oil and gas resources on public lands belong to all of the American people, not just to those of the adjacent States. They are public resources that belong as much to someone living in Kansas, Massachusetts, or Hawaii as they do to someone living in Louisiana or Texas. These are resources that should help every American, not just a select few. The revenue generated from these public resources goes to the Federal Treasury to help pay for Medicare and Medicaid. It helps to pay for our national defense. We can no longer af-

ford to continue this diversion of taxpayer funds to these four States. We need this revenue to reduce our deficit and to get our fiscal house in order.

I had offered an amendment that would have recovered the \$150 billion we are going to be sending to these four States, which the majority did not make in order, and now this amendment would take us in the complete opposite direction.

So I commend the gentleman from Louisiana. I can't blame him for trying to get even more Federal money directed to his home State under this program. Yet, if you come from one of the 46 States that is not—and let me enumerate them again—Louisiana, Mississippi, Alabama, or Texas, you would have to be crazy to vote for this amendment, because they're going to take money away from your States, away from your Medicare beneficiaries, away from your contributions to the defense budget. It will be higher in all of those other States because this money is going to be sucked out of the Federal Treasury, as though through a straw, right into the States of Louisiana, Alabama, Mississippi, and Texas. If you vote for this amendment, you are voting to send that money—\$6 billion—directly from your State to the gentleman from Louisiana's State.

I urge all members of the Louisiana delegation to vote against the Markey amendment, and I would give a similar recommendation to the other Members from the other three States. But if you don't come from one of those four States, why would you send \$6 billion to those States, money which should be in the Federal Treasury, when it should be used for all of the citizens of our country?

At this point, I yield back the balance of my time.

Mr. LANDRY. How much time remains?

The Acting CHAIR. The gentleman from Louisiana has 3 minutes remaining.

Mr. LANDRY. I yield 1 minute to the chairman of the Natural Resources Committee, the gentleman from Washington (Mr. HASTINGS).

□ 1730

Mr. HASTINGS of Washington. Mr. Chairman, I would just point out, the underlying bill vastly expands the number of States that would be eligible for revenue sharing to far beyond those four States that the ranking member mentioned.

But when our committee held a markup on this legislation 2 weeks ago, I pledged to work with the gentleman from Louisiana and Gulf Members to help bring parity to the differences between the existing revenue sharing currently enjoyed in the four Gulf States and all the other coastal States, which, up until this legislation today, as I mentioned, were not entitled to a share of the revenues from oil and gas production off their shores. Let me repeat that again. Under this legislation,

more States will have an opportunity to share this.

But this amendment seeks to bring existing revenue sharing in the Gulf more in line with the plan that was included in the underlying bill. And I congratulate the gentleman for bringing this amendment to the floor. I support it.

Mr. LANDRY. I yield 1 minute to the gentleman from Louisiana (Mr. RICHMOND).

Mr. RICHMOND. I thank the gentleman from Louisiana.

Mr. Chairman, I have an understanding different from my good friend and colleague from Massachusetts. He is absolutely right when he says the resources are everyone's. The resources are everyone's. But the sacrifices that you make to get those resources come from those Gulf States. We lost 1,836 lives in Katrina. We lost 11 lives in the BP oil spill. We've lost 328 square miles of marsh. And in this bill, we give royalties to all the other States immediately.

What we're asking from Louisiana is that, without a cap, is that in 2023 when we start to give us the 37.5 percent. However, we're willing to cap it at \$750 million as opposed to the unlimited amount that all the other States under this bill would do.

And then I think in 2006, Congress recognized that the Gulf Coast States were bearing the brunt of our energy production in this country, the lands that we lose. We produce 90 percent of the Nation's offshore oil and gas. So that's a sacrifice that we make for people in Kansas, people in California to be able to turn on their lights in the afternoon or at nighttime.

With that, Mr. Chairman, I would urge Members to vote for the amendment.

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

Mr. LANDRY. Mr. Chairman, I will just close with this: As the gentleman from Louisiana just indicated, 30 percent of all oil and gas produced in this country comes from Louisiana shores. A quarter of all the seafood is caught in Louisiana. In Louisiana, we have made it a constitutional amendment that any revenue we receive from the Federal Government or offshore royalties goes to coastal protection and the building of the coast that we are so rapidly losing. And again, this is not an amendment whereby we're asking for more of our share. We are simply asking to raise a cap when other States will have no cap. This is only fundamental fairness here, and I certainly would urge all Members to consider that and to please support this amendment when it comes to the floor.

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

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

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

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

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

AMENDMENT NO. 12 OFFERED BY MR. DEUTCH

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part A of House Report 112-398.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 954, after line 19, insert the following:  
**SEC. 17603. ESTIMATE OF THE ECONOMIC IMPACT OF WORST-CASE DISCHARGE OF OIL.**

A person shall not be eligible for a lease issued under this subtitle (including the amendments made by this subtitle) unless the person includes in the application for the lease an estimate of the economic impact, including job losses, resulting from a worst-case discharge of oil from facilities operated under the lease.

The Acting CHAIR. Pursuant to House Resolution 547, the gentleman from Florida (Mr. DEUTCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DEUTCH. Mr. Chairman, nearly 2 years ago, an explosion on the BP *Deepwater Horizon* drilling vessel unleashed a steady gush of crude oil into the Gulf of Mexico that went unstoppable for 3 full months. The 4.9 million barrels of crude oil spewed into the gulf and jeopardized an ecosystem that is home to over 15,000 species and claimed the mantle as the worst environmental disaster in our Nation's history.

Yet the BP *Deepwater Horizon* spill was also an economic disaster. And, Mr. Chairman, that is the issue addressed in the amendment I present to this body today. My amendment simply provides that no one shall be eligible for a lease issued unless there is, first, an estimate of the economic impact, including job losses resulting from a worst-case discharge of oil from facilities operated under that lease.

Right now under current law and under this legislation, as drafted, companies applying for new oil drilling leases are not required to project the toll on local economies resulting from a worst-case scenario spill.

In my home State of Florida and in other Gulf Coast States, like Alabama and Mississippi and Louisiana, the economic consequences were enormous. Forced closures of fishing areas led to shuttered businesses. Fewer tourists led to job losses. The powerful economic ripple effect was felt by millions of Americans in States whose coastal towns, cities, and businesses depend on the livelihood of tourism, fishing, restaurants, shrimping, and other industries.

The bill before us today would open large areas of the Gulf of Mexico, the

east and west coasts of the United States, and areas in Alaska to oil drilling. Opening these areas to drilling exposes the coastal communities and coastal States to significant economic impact and job losses should a large-scale oil spill like BP *Deepwater Horizon* occur.

And while BP created a \$20 billion recovery fund to assist communities devastated by this bill, litigation over the total cost of the disaster continues today. As BP seeks financial contributions from *Deepwater Horizon* contractors for payout of claims, estimates of the spill's total economic impact are upwards of \$40 billion and more. The Federal Government has a real interest in ensuring that companies applying for new oil drilling leases are aware of and are prepared for the potential economic impact and job losses resulting from a worst-case scenario spill. It only makes sense that these applications require an economic, in addition to the environmental, estimate of such disasters.

My amendment, therefore, would require the person to include in their application this estimate of economic impact arising from a worst-case discharge of oil from the facilities.

I urge my colleagues to join me in safeguarding our economy from tragedies like the *Deepwater Horizon* spill, and I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

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

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

Mr. Chairman, since the *Deepwater Horizon* tragedy, the Bureau of Ocean Energy Management and the Bureau of Safety and Environmental Enforcement have put forward significant regulatory measures governing offshore drilling. This is very important, Mr. Chairman, because existing Federal regulations—specifically, 30 CFR 254.26—already require a worst-case discharge scenario in all lease applications, which includes an evaluation of economic resources that may be impacted. So that's in the law already, Mr. Chairman.

So I find it interesting that we have an amendment before us that we are debating on essentially legislation and regulatory issues that are already currently in place.

Let me make another point to hopefully point out the disconnect of what we are talking about because one of the issues that we are talking about here is the creation of American energy, American jobs, American security, less dependence on foreign sources of our energy.

This last January, for example, the State Department expelled the consul general of Venezuela in Miami for plotting a cyberattack on the U.S. Government. And yet here we are, debating an issue that could affect our getting to

be less dependent on foreign energy sources and ignoring what is the obvious. We, obviously, ought to be trying to be less dependent on foreign oil, and yet that debate isn't even going on. We are talking about a debate on an amendment that is simply redundant of current law.

I don't know why we are having this debate, but I think that the redundancy of it here—we always have a worst-case discharge scenario in current law. We simply don't need this.

So with that, Mr. Chairman, I urge opposition to this amendment, and I reserve the balance of my time.

□ 1740

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

The Acting CHAIR. The gentleman from Florida has 2 minutes remaining.

Mr. DEUTCH. Mr. Chairman, the gentleman from Washington I respect a great deal, but to say this is redundant of current law is just incorrect. The gentleman knows, and in fact told us, that the requirement he referred to is in regulations.

Mr. Chairman, for anyone who has watched what's gone on in this body, in this Congress, it has been this House of Representatives that has brought to the floor bill after bill to give this Congress the ability to repeal regulations and to block regulations. I don't want to have to rely on what's in regulations. If we believe in American jobs, and the suggestion that somehow the American jobs in the energy industry are more important than the American jobs in the tourism industry and the shrimpers and the people in tourism who realize every day the opportunity to provide for their families because of the beautiful, pristine coastline that we have in Florida and because of all that surrounds the environment in the other States in the gulf, to suggest that those are somehow less important than energy jobs is inappropriate.

But more than that, I don't want to have to rely on regulations, Mr. Chairman. If we are committed to ensuring that there is an analysis of what would happen in the worst case, then let's put it in the law. Let's put it in the statute. Let's not rely on the regulations that my friends so often blame on these bureaucrats for writing. Let's not rely on them. Here's an opportunity for us to stand together and not want to rely on regulations.

Mr. Chairman, I ask my colleagues to join with me, as they've already acknowledged that this is an important issue, to not have to rely on regulations any longer. Let's make this a part of the law.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, since I have the right to close, I will reserve.

Mr. DEUTCH. Mr. Chairman, there are lots of amendments that are controversial. Simply requiring that companies do what the regulations require

them to do, which my colleague from Washington acknowledges that they are already required to do, but making it a part of the law instead of requiring regulations that may change from time to time is the appropriate step. I think we should all be in agreement on that, and I urge adoption of this amendment, and I yield back the balance of my time.

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

Mr. Chairman, from time to time there shows, really, progress in the course of debate. The gentleman from Florida correctly pointed out that my side of the aisle has some real heartburn on a lot of regulations. I'll be the first to admit that. Apparently he does, too, by his acknowledgement that we have that acknowledgement, and he doesn't want to be governed by regulations. So I think we're making progress, at least in that way, and I congratulate him.

But here's the point. On this specific issue, this Congress has responded, and to their credit, this administration has responded, not probably to the extent that I would like, seeing that the regulatory oversight on potential spills in the gulf or any place in the OCS will be responded to in a timely manner. That was done through the appropriation process by a Republican-led Congress. I congratulate the chairman of the Interior Subcommittee on Appropriations for doing precisely that.

But I will repeat again, in my view, in this particular case this amendment is redundant to what the law, through regulations, already is; and I would urge rejection of this amendment, and I yield back the balance of my time.

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

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

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

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

#### ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 112-398 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. ESHOO of California.

Amendment No. 2 by Mr. MARKEY of Massachusetts.

Amendment No. 3 by Mr. RUSH of Illinois.

Amendment No. 4 by Mr. DOYLE of Pennsylvania.

Amendment No. 5 by Mr. POLIS of Colorado.

Amendment No. 7 by Mrs. CAPPS of California.

Amendment No. 9 by Mr. BISHOP of New York.

Amendment No. 11 by Mr. LANDRY of Louisiana.

Amendment No. 12 by Mr. DEUTCH of Florida.

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

#### AMENDMENT NO. 1 OFFERED BY MS. ESHOO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. ESHOO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 173, noes 249, not voting 11, as follows:

[Roll No. 55]

#### AYES—173

Ackerman	Gibson	Nadler
Andrews	Gonzalez	Napolitano
Baca	Green, Al	Neal
Baldwin	Grijalva	Olver
Bass (CA)	Gutierrez	Pallone
Becerra	Hahn	Pascrell
Berkley	Hanabusa	Pastor (AZ)
Berman	Harris	Pelosi
Bishop (GA)	Hastings (FL)	Perlmutter
Bishop (NY)	Heinrich	Peters
Blumenauer	Higgins	Pingree (ME)
Bonamici	Himes	Polis
Boswell	Hinchee	Price (NC)
Brady (PA)	Hinojosa	Quigley
Braley (IA)	Hirono	Rahall
Brown (FL)	Hochul	Richardson
Butterfield	Holden	Richmond
Capps	Holt	Rothman (NJ)
Capuano	Honda	Roybal-Allard
Cardoza	Hoyer	Ruppersberger
Carnahan	Inslee	Rush
Carney	Israel	Ryan (OH)
Carson (IN)	Jackson (IL)	Sánchez, Linda
Castor (FL)	Jackson Lee	T.
Chu	(TX)	Sanchez, Loretta
Ciциlline	Johnson (GA)	Sarbanes
Clarke (MI)	Johnson, E. B.	Schakowsky
Clarke (NY)	Kaptur	Schiff
Clay	Keating	Schrader
Cleaver	Kildee	Schwartz
Clyburn	Kind	Scott (VA)
Cohen	Kissell	Scott, David
Connolly (VA)	Kucinich	Sewell
Conyers	Langevin	Sherman
Costello	Larsen (WA)	Sires
Courtney	Larson (CT)	Slaughter
Crowley	Lee (CA)	Smith (WA)
Cuellar	Levin	Speier
Cummings	Lewis (GA)	Stark
Davis (CA)	Loeb sack	Sutton
Davis (IL)	Lofgren, Zoe	Thompson (CA)
DeFazio	Lowey	Thompson (MS)
DeGette	Lujan	Tierney
DeLauro	Maloney	Tonko
Deutch	Markey	Towns
Dicks	Matsui	Tsongas
Dingell	McCarthy (NY)	Van Hollen
Doggett	McCollum	Velázquez
Doyle	McDermott	Visclosky
Edwards	McGovern	Wasserman
Ellison	McIntyre	Schultz
Engel	McNerney	Waters
Eshoo	Meeks	Watt
Farr	Michaud	Waxman
Fattah	Miller (NC)	Welch
Filner	Miller, George	Wilson (FL)
Frank (MA)	Moore	Woolsey
Fudge	Moran	Yarmuth
Garamendi	Murphy (CT)	

NOES—249

Adams	Gohmert	Nunnelee
Aderholt	Goodlatte	Olson
Akin	Gosar	Owens
Alexander	Gowdy	Paulsen
Altmire	Granger	Pearce
Amash	Graves (GA)	Pence
Amodei	Graves (MO)	Peterson
Austria	Green, Gene	Petri
Bachmann	Griffin (AR)	Pitts
Bachus	Griffith (VA)	Platts
Barletta	Grimm	Poe (TX)
Barrow	Guinta	Pompeo
Bartlett	Guthrie	Posey
Barton (TX)	Hall	Price (GA)
Bass (NH)	Hanna	Quayle
Benishkek	Harper	Reed
Berg	Hartzler	Rehberg
Biggert	Hastings (WA)	Reichert
Billbray	Hayworth	Renacci
Bilirakis	Heck	Reyes
Bishop (UT)	Hensarling	Ribble
Black	Herger	Rigell
Blackburn	Herrera Beutler	Rivera
Bono Mack	Huelskamp	Roby
Boren	Huizenga (MI)	Roe (TN)
Boustany	Hultgren	Rogers (AL)
Brady (TX)	Hunter	Rogers (KY)
Brooks	Hurt	Rogers (MI)
Broun (GA)	Issa	Rohrabacher
Buchanan	Jenkins	Rokita
Bucshon	Johnson (IL)	Rooney
Buerkle	Johnson (OH)	Ros-Lehtinen
Burgess	Johnson, Sam	Roskam
Burton (IN)	Jones	Ross (AR)
Calvert	Jordan	Ross (FL)
Camp	Kelly	Royce
Canseco	King (IA)	Runyan
Cantor	King (NY)	Ryan (WI)
Capito	Kingston	Scalise
Carter	Kinzinger (IL)	Schilling
Cassidy	Kline	Schmidt
Chabot	Labrador	Schock
Chaffetz	Lamborn	Schweikert
Chandler	Lance	Scott (SC)
Coble	Landry	Scott, Austin
Coffman (CO)	Lankford	Sensenbrenner
Cole	Latham	Sessions
Conaway	LaTourette	Hahn
Cooper	Latta	Shimkus
Costa	Lipinski	Shuler
Cravaack	LoBiondo	Shuster
Crawford	Long	Simpson
Crenshaw	Lucas	Smith (NE)
Critz	Luetkemeyer	Smith (NJ)
Culberson	Lummis	Smith (TX)
Davis (KY)	Lungren, Daniel	Southerland
Denham	E.	Stearns
Dent	Lynch	Stivers
DesJarlais	Mack	Stutzman
Diaz-Balart	Manzullo	Terry
Dold	Marchant	Thompson (PA)
Donnelly (IN)	Marino	Thornberry
Dreier	Matheson	Tiberi
Duffy	McCarthy (CA)	Tipton
Duncan (SC)	McCaul	Turner (NY)
Duncan (TN)	McClintock	Turner (OH)
Ellmers	McCotter	Upton
Emerson	McHenry	Walberg
Farenthold	McKeon	Walden
Fincher	McKinley	Walsh (IL)
Fitzpatrick	McMorris	Walz (MN)
Flake	Rodgers	Webster
Fleischmann	Meehan	West
Fleming	Mica	Westmoreland
Forbes	Miller (FL)	Whitfield
Foxx	Miller (MI)	Wilson (SC)
Franks (AZ)	Miller, Gary	Wittman
Frelinghuysen	Mulvaney	Wolf
Gallely	Murphy (PA)	Womack
Gardner	Myrick	Woodall
Garrett	Neugebauer	Yoder
Gerlach	Noem	Young (AK)
Gibbs	Nugent	Young (FL)
Gingrey (GA)	Nunes	Young (IN)

NOT VOTING—11

Bonner	Lewis (CA)	Rangel
Campbell	Palazzo	Serrano
Flores	Paul	Sullivan
Fortenberry	Payne	

□ 1812

Messrs. YOUNG of Indiana, GOHMERT, and GRIMM changed their vote from “aye” to “no.”

Messrs. BLUMENAUER and OLVER changed their vote from “no” to “aye.” So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. PALAZZO. Mr. Chair, on rollcall No. 55, I was unavoidably detained. Had I been present, I would have voted “no.”

AMENDMENT NO. 2 OFFERED BY MR. MARKEY

The Acting CHAIR (Mr. CHAFFETZ). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 254, not voting 6, as follows:

[Roll No. 56]

AYES—173

Ackerman	Garamendi	Moore
Altmire	Gerlach	Moran
Andrews	Gibson	Murphy (CT)
Baca	Green, Al	Nadler
Baldwin	Gutierrez	Napolitano
Barrow	Hahn	Neal
Bass (CA)	Hanabusa	Olver
Becerra	Hastings (FL)	Owens
Berkley	Heinrich	Pallone
Berman	Higgins	Pascarell
Bishop (GA)	Hinchee	Pastor (AZ)
Bishop (NY)	Hirono	Pelosi
Blumenauer	Hochul	Perlmutter
Bonamici	Holden	Peters
Boswell	Holt	Pingree (ME)
Brady (PA)	Honda	Platts
Braleigh (IA)	Hoyer	Polis
Brown (FL)	Israel	Price (NC)
Butterfield	Jackson (IL)	Quigley
Capps	Jackson Lee	Rahall
Capuano	(TX)	Reyes
Carnahan	Johnson (GA)	Richardson
McCaul	Johnson, E. B.	Rothman (NJ)
Carson (IN)	Jones	Roybal-Allard
Castor (FL)	Kaptur	Ruppersberger
Chandler	Keating	Rush
Chu	Kildee	Ryan (OH)
Ciçilline	Kind	Sanchez, Linda
Clarke (NY)	King (NY)	T.
Clay	Kissell	Sanchez, Loretta
West	Kucinich	Sarbanes
Westmoreland	Clyburn	Schakowsky
Whitfield	Cohen	Schiff
Wilson (SC)	Connolly (VA)	Schrader
Wittman	Conyers	Schwartz
Wolf	Courtney	Scott, David
Womack	Crowley	Sewell
Woodall	Cummings	Sherman
Yoder	Davis (CA)	Shuler
Young (AK)	Davis (IL)	Sires
Young (FL)	DeFazio	Smith (WA)
Young (IN)	DeGette	Speier
	Lujan	Stark
	Lynch	Sutton
	Maloney	Thompson (CA)
	Markey	Tierney
	Matsui	Tonko
	McCarthy (NY)	Towns
	McCollum	Tsongas
	Ellison	McDermott
	Engel	McGovern
	Eshoo	McIntyre
	Farr	McNerney
	Fattah	Meeke
	Filner	Michaud
	Fitzpatrick	Miller (NC)
	Fudge	Miller, George

Waters	Welch	Yarmuth
Watt	Wilson (FL)	Young (FL)
Waxman	Woolsey	

NOES—254

Adams	Gibbs	Noem
Aderholt	Gingrey (GA)	Nugent
Akin	Gohmert	Nunes
Alexander	Gonzalez	Nunnelee
Amash	Goodlatte	Olson
Amodei	Gosar	Palazzo
Austria	Gowdy	Paulsen
Bachmann	Granger	Pearce
Bachus	Graves (GA)	Pence
Barletta	Graves (MO)	Peterson
Bartlett	Green, Gene	Petri
Barton (TX)	Griffin (AR)	Pitts
Bass (NH)	Griffith (VA)	Poe (TX)
Benishkek	Grijalva	Pompeo
Berg	Grimm	Posey
Biggert	Guinta	Price (GA)
Billbray	Guthrie	Quayle
Bilirakis	Hall	Reed
Bishop (UT)	Hanna	Rehberg
Black	Harper	Reichert
Blackburn	Harris	Renacci
Bonner	Hartzler	Ribble
Bono Mack	Hastings (WA)	Richmond
Boren	Hayworth	Rigell
Boustany	Heck	Rivera
Brady (TX)	Hensarling	Roby
Brooks	Herger	Roe (TN)
Broun (GA)	Herrera Beutler	Rogers (AL)
Buchanan	Hinojosa	Rogers (KY)
Bucshon	Huelskamp	Rogers (MI)
Buerkle	Huizenga (MI)	Rohrabacher
Burgess	Hultgren	Rokita
Burton (IN)	Hunter	Rooney
Calvert	Hurt	Ros-Lehtinen
Camp	Insee	Roskam
Canseco	Issa	Ross (AR)
Cantor	Jenkins	Ross (FL)
Capito	Cardoza	Royce
Cardoza	Johnson (IL)	Runyan
Carter	Johnson (OH)	Ryan (WI)
Cassidy	Johnson, Sam	Scalise
Chabot	Jordan	Schilling
Chaffetz	Kelly	Schmidt
Clarke (MI)	King (IA)	Schock
Coble	Kingston	Schweikert
Coffman (CO)	Kinzinger (IL)	Scott (SC)
Cole	Kline	Scott (VA)
Conaway	Labrador	Scott, Austin
Cooper	Lamborn	Sensenbrenner
Costa	Lance	Sessions
Costello	Landry	Shimkus
Cravaack	Lankford	Shuster
Crawford	Larsen (WA)	Simpson
Crenshaw	Latham	Smith (NE)
Critz	LaTourette	Smith (NJ)
Culberson	Lewis (CA)	Smith (TX)
Davis (KY)	Long	Southerland
Denham	Lucas	Stearns
Dent	Luetkemeyer	Stivers
DesJarlais	Lummis	Stutzman
Diaz-Balart	Lungren, Daniel	Sullivan
Dingell	E.	Terry
Dold	Mack	Thompson (MS)
Doyle	Manzullo	Thompson (PA)
Dreier	Marchant	Thornberry
Duffy	Marino	Tiberi
Duncan (SC)	Matheson	Tipton
Duncan (TN)	McCarthy (CA)	Turner (OH)
Ellmers	McCaul	Upton
Emerson	McClintock	Walberg
Farenthold	McCotter	Walden
Fincher	McHenry	Walsh (IL)
Flake	McKeon	Webster
Fleischmann	McKinley	West
Fleming	McMorris	Westmoreland
Forbes	Flores	Whitfield
Foxx	Forbes	Wilson (SC)
Franks (AZ)	Fortenberry	Wittman
Frelinghuysen	Fox	Wolf
Gallely	Frank (MA)	Womack
Gardner	Franks (AZ)	Woodall
Garrett	Frelinghuysen	Yoder
	Gallely	Young (AK)
	Gardner	Young (IN)
	Garrett	

NOT VOTING—6

Campbell	Payne	Serrano
Paul	Rangel	Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There are 30 seconds remaining.

□ 1817

Mr. FRANK of Massachusetts changed his vote from “aye” to “no.”  
Mr. DICKS and Ms. SCHAKOWSKY changed their vote from “no” to “aye.”  
So the amendment was rejected.  
The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. RUSH  
The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. RUSH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.  
The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.  
A recorded vote was ordered.  
The Acting CHAIR. This will be a 2-minute vote.  
The vote was taken by electronic device, and there were—ayes 149, noes 276, not voting 8, as follows:

[Roll No. 57]  
AYES—149

Ackerman	Grijalva	Pastor (AZ)
Amash	Gutierrez	Pelosi
Andrews	Hahn	Peters
Baca	Hanabusa	Pingree (ME)
Baldwin	Hastings (FL)	Polis
Bass (CA)	Heinrich	Price (NC)
Becerra	Hinchev	Quigley
Berkley	Hinojosa	Reyes
Berman	Hirono	Richardson
Bishop (NY)	Holt	Richmond
Bonamici	Honda	Rothman (NJ)
Boswell	Hoyer	Roybal-Allard
Brown (FL)	Israel	Ruppersberger
Butterfield	Jackson (IL)	Rush
Capps	Johnson (GA)	Ryan (OH)
Capuano	Johnson, E. B.	Sánchez, Linda T.
Carnahan	Kaptur	Sanchez, Loretta
Carney	Keating	Sarbanes
Carson (IN)	Kildee	Schakowsky
Castor (FL)	Kind	Schiff
Chu	Kissell	Schradler
Ciциlline	Kucinich	Schwarzt
Clarke (MI)	Langevin	Scott (VA)
Clarke (NY)	Larson (CT)	Scott, David
Clay	Lee (CA)	Sewell
Cleaver	Levin	Sherman
Clyburn	Lewis (GA)	Sires
Cohen	Loeb sack	Smith (WA)
Connolly (VA)	Lofgren, Zoe	Speier
Conyers	Lowey	Stark
Courtney	Lujan	Sutton
Crowley	Maloney	Thompson (CA)
Cummings	Markey	Thompson (MS)
Davis (CA)	Matsui	Tierney
Davis (IL)	McCarthy (NY)	Tonko
DeFazio	McColum	Towns
DeGette	McDermott	Tsongas
DeLauro	McGovern	Van Hollen
Deutch	McNerney	Velázquez
Dicks	Meeks	Wasserman
Dingell	Michaud	Watt
Edwards	Miller, George	Waxman
Ellison	Moore	Welch
Engel	Moran	Wilson (FL)
Eshoo	Murphy (CT)	Woolsey
Farr	Nadler	Yarmuth
Filner	Napolitano	
Fortenberry	Neal	
Fudge	Oliver	
Garamendi	Pallone	
Gibson	Pascrell	

NOES—276

Adams	Amodei	Barrow
Aderholt	Austria	Bartlett
Akin	Bachmann	Barton (TX)
Alexander	Bachus	Bass (NH)
Altmire	Barletta	Benishak

Berg	Green, Al
Biggett	Green, Gene
Bilbray	Griffin (AR)
Bilirakis	Griffith (VA)
Bishop (GA)	Grimm
Bishop (UT)	Guinta
Black	Guthrie
Blackburn	Hall
Blumenauer	Hanna
Bonner	Harper
Bono Mack	Harris
Boren	Hartzler
Boustany	Hastings (WA)
Brady (PA)	Hayworth
Brady (TX)	Heck
Braley (IA)	Hensarling
Brooks	Herger
Broun (GA)	Herrera Beutler
Buchanan	Higgins
Bucshon	Himes
Buerkle	Hochul
Burgess	Holden
Burton (IN)	Huelskamp
Calvert	Huizenga (MI)
Camp	Hultgren
Canseco	Hunter
Cantor	Hurt
Capito	Inslee
Cardoza	Issa
Carter	Jackson Lee
Cassidy	(TX)
Chabot	Jenkins
Chaffetz	Johnson (IL)
Chandler	Johnson (OH)
Coble	Johnson, Sam
Coffman (CO)	Jones
Cole	Jordan
Conaway	Kelly
Cooper	King (IA)
Costa	King (NY)
Costello	Kingston
Cravaack	Kinzinger (IL)
Crawford	Kline
Crenshaw	Labrador
Critz	Lamborn
Cuellar	Lance
Culbertson	Landry
Davis (KY)	Lankford
Denham	Larsen (WA)
Dent	Latham
DesJarlais	LaTourette
Diaz-Balart	Latta
Dold	Lewis (CA)
Donnelly (IN)	Lipinski
Doyle	LoBiondo
Dreier	Long
Duffy	Lucas
Duncan (SC)	Luetkemeyer
Duncan (TN)	Lummis
Ellmers	Lungren, Daniel E.
Emerson	Lynch
Farenthold	Mack
Fattah	Manzullo
Fincher	Marchant
Fincher	Marino
Fitzpatrick	Matheson
Flake	McCarthy (CA)
Fleischmann	Fleming
Fleming	McCaul
Flores	McClintock
Forbes	McCotter
Fox	McHenry
Frank (MA)	McIntyre
Franks (AZ)	McKeon
Frelinghuysen	McKinley
Gallegly	McMorris
Gardner	McMorris
Garrett	Rodgers
Gerlach	Meehan
Gibbs	Mica
Gingrey (GA)	Miller (FL)
Gohmert	Miller (MI)
Gohmert	Miller (NC)
Gonzalez	Miller, Gary
Goodlatte	Mulvaney
Gosar	Murphy (PA)
Govdy	Myrick
Granger	Neugebauer
Graves (GA)	Noem
Graves (MO)	

NOT VOTING—8

Campbell	Payne	Slaughter
Doggett	Rangel	Westmoreland
Paul	Serrano	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There are 30 seconds remaining.

□ 1821

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

AMENDMENT NO. 4 OFFERED BY MR. DOYLE  
The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. DOYLE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.  
The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.  
A recorded vote was ordered.  
The Acting CHAIR. This will be a 2-minute vote.  
The vote was taken by electronic device, and there were—ayes 193, noes 234, not voting 6, as follows:

[Roll No. 58]  
AYES—193

Ackerman	Fitzpatrick	Meeks
Altmire	Fortenberry	Michaud
Andrews	Frank (MA)	Miller (NC)
Baca	Fudge	Miller, George
Baldwin	Garamendi	Moore
Barrow	Gibson	Moran
Bass (CA)	Gonzalez	Murphy (CT)
Becerra	Green, Al	Nadler
Berkley	Green, Gene	Napolitano
Berman	Grijalva	Neal
Bilirakis	Gutierrez	Olver
Bishop (GA)	Hanabusa	Owens
Bishop (NY)	Hastings (FL)	Pallone
Blumenauer	Heinrich	Pascrell
Bonamici	Higgins	Pastor (AZ)
Boswell	Himes	Pelosi
Brady (PA)	Hinchev	Perlmutter
Braley (IA)	Hinojosa	Peters
Brown (FL)	Hirono	Pingree (ME)
Butterfield	Hochul	Price (NC)
Capps	Holden	Quigley
Capuano	Holt	Rahall
Carnahan	Honda	Renacci
Cardoza	Hoyer	Reyes
Carnahan	Inslee	Richmond
Carney	Israel	Rothman (NJ)
Carson (IN)	Israel	Roybal-Allard
Castor (FL)	Jackson (IL)	Runyan
Chandler	Jackson Lee	Ruppersberger
Chu	(TX)	Rush
Ciциlline	Johnson (GA)	Ryan (OH)
Clarke (MI)	Johnson (OH)	Sánchez, Linda T.
Clarke (NY)	Johnson, E. B.	Sanchez, Loretta
Clay	Jones	Sarbanes
Cleaver	Kaptur	Schakowsky
Clyburn	Keating	Schiff
Cohen	Kildee	Schradler
Connolly (VA)	Kind	Schwartz
Conyers	Kissell	Scott (VA)
Courtney	Kucinich	Scott, David
Crowley	Langevin	Sewell
Cummings	Larsen (WA)	Sherman
Davis (CA)	Larson (CT)	Shuler
Davis (IL)	LaTourette	Sires
DeFazio	Lee (CA)	Smith (WA)
DeGette	Levin	Smith (WA)
DeLauro	Lewis (GA)	Speier
Deutch	Lipinski	Stark
Dicks	LoBiondo	Stivers
Dingell	Loeb sack	Sutton
Edwards	Lofgren, Zoe	Thompson (CA)
Ellison	Lowey	Thompson (MS)
Engel	Lujan	Tierney
Eshoo	Lynch	Tonko
Farr	Maloney	Towns
Fattah	Markey	Tsongas
Filner	McCarthy (NY)	Van Hollen
	McColum	Velázquez
	McDermott	Visclosky
	McGovern	Walz (MN)
	McIntyre	Wasserman
	McNerney	Schultz
	Meehan	Waters

Watt  
Waxman  
Welch

Wilson (FL)  
Woolsey  
Yarmuth

Young (FL)

NOES—234

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

Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guinta  
Guthrie  
Hahn  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson, Sam  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Klaine  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Latham  
Latta  
Lewis (CA)  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCauley  
McClintock  
McCotter  
McHenry  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee

Olson  
Palazzo  
Paulsen  
Pearce  
Pence  
Peterson  
Petri  
Pitts  
Platts  
Poe (TX)  
Polis  
Pompeo  
Posey  
Price (GA)  
Quayle  
Reed  
Rehberg  
Reichert  
Ribble  
Richardson  
Rigell  
Rivera  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Ross (FL)  
Royce  
Ryan (WI)  
Scalise  
Schilling  
Schmidt  
Schmitt  
Schock  
Schweikert  
Scott (SC)  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stearns  
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 (AK)  
Young (IN)

NOT VOTING—6

Campbell  
Paul

Payne  
Rangel

Serrano  
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There are 30 seconds remaining.

□ 1825

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

AMENDMENT NO. 5 OFFERED BY MR. POLIS  
The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Colorado (Mr. POLIS)  
on which further proceedings were  
postponed and on which the noes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 160, noes 265,  
not voting 8, as follows:

[Roll No. 59]

AYES—160

Ackerman  
Andrews  
Baca  
Baldwin  
Bass (CA)  
Becerra  
Berkley  
Berman  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Butterfield  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Castor (FL)  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dingell  
Doggett  
Doyle  
Edwards  
Ellison  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)

Fudge  
Garamendi  
Grijalva  
Gutierrez  
Hanabusa  
Hastings (FL)  
Heinrich  
Higgins  
Himes  
Hinchee  
Hirono  
Holt  
Honda  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Johnson (GA)  
Johnson (IL)  
Johnson, E. B.  
Kaptur  
Keating  
Kildee  
Kind  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Lofgren, Zoe  
Lowe  
Lujan  
Lynch  
Maloney  
Markey  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McNerney  
Meeke  
Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Nadler  
Napolitano  
Neal

Oliver  
Pallone  
Pascrell  
Pelosi  
Perlmutter  
Peters  
Pingree (ME)  
Polis  
Price (NC)  
Quigley  
Rahall  
Reichert  
Reyes  
Richmond  
Rothman (NJ)  
Roybal-Allard  
Rush  
Ryan (OH)  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Schwartz  
Scott (VA)  
Scott, David  
Sewell  
Sherman  
Shuler  
Sires  
Smith (WA)  
Speier  
Stark  
Sutton  
Thompson (CA)  
Tierney  
Tonko  
Towns  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Yarmuth

NOES—265

Barton (TX)  
Bass (NH)  
Benishkek  
Berg  
Biggert  
Bilbray  
Bilirakis  
Bishop (GA)  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Bono Mack

Boren  
Boswell  
Boustany  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Burton (IN)  
Calvert  
Camp  
Canseco

Herrera Beutler  
Hinojosa  
Hochul  
Holden  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jackson Lee  
(TX)  
Jenkins  
Richardson  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kissell  
Rooney  
Klaine  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Loeback  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCauley  
McClintock  
McCotter  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Pastor (AZ)  
Paulsen  
Pearce  
Pence  
Peterson

Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Reed  
Rehberg  
Renacci  
Ribble  
Richardson  
Rigell  
Rivera  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Ross (FL)  
Royce  
Runyan  
Ruppersberger  
Ryan (WI)  
Scalise  
Schilling  
Schmidt  
Schock  
Schweikert  
Scott (SC)  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stearns  
Stutzman  
Sullivan  
Terry  
Thompson (MS)  
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 (AK)  
Young (FL)  
Young (IN)

NOT VOTING—8

Brady (TX)  
Campbell  
Paul

Payne  
Rangel  
Serrano

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There are 30 seconds remaining.

□ 1829

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

AMENDMENT NO. 7 OFFERED BY MRS. CAPPS  
The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentlewoman from California (Mrs.  
CAPPS) on which further proceedings

were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 160, noes 267, not voting 6, as follows:

[Roll No. 60]

AYES—160

Ackerman	Fudge	Oliver
Andrews	Garamendi	Owens
Baca	Grijalva	Pallone
Baldwin	Gutierrez	Pascarell
Bass (CA)	Hahn	Pastor (AZ)
Becerra	Hanabusa	Pelosi
Berkley	Hastings (FL)	Perlmutter
Berman	Heinrich	Peters
Billray	Higgins	Pingree (ME)
Bishop (NY)	Himes	Polis
Blumenauer	Hinchev	Price (NC)
Bonomici	Hirono	Quigley
Brady (PA)	Holt	Rahall
Bralley (IA)	Honda	Reichert
Brown (FL)	Hoyer	Reyes
Butterfield	Insee	Richardson
Capps	Israel	Richmond
Capuano	Jackson (IL)	Rothman (NJ)
Cardoza	Johnson (GA)	Roybal-Allard
Carnahan	Johnson, E. B.	Ruppersberger
Carney	Kaptur	Rush
Carson (IN)	Keating	Ryan (OH)
Castor (FL)	Kildee	Sánchez, Linda T.
Chu	Kissell	Sanchez, Loretta T.
Ciulline	Kucinich	Sarbanes
Clarke (MI)	Langevin	Schakowsky
Clarke (NY)	Larsen (WA)	Schiff
Clay	Larson (CT)	Schrader
Cleaver	Lee (CA)	Schwartz
Clyburn	Levin	Scott (VA)
Cohen	Lewis (GA)	Scott, David
Connolly (VA)	Lipinski	Sherman
Conyers	Loebsack	Sires
Costello	Lofgren, Zoe	Smith (WA)
Courtney	Lowey	Speier
Crowley	Lujan	Stark
Cummings	Lynch	Sutton
Davis (CA)	Maloney	Thompson (CA)
Davis (IL)	Markey	Thompson (MS)
DeFazio	Matsui	Tierney
DeGette	McCarthy (NY)	Tonko
DeLauro	McColum	Towns
Deutch	McDermott	Tsongas
Dicks	McGovern	Van Hollen
Doggett	McNerney	Velázquez
Doyle	Meeks	Vislosky
Edwards	Miller (NC)	Wasserman
Ellison	Miller, George	Schultz
Engel	Moore	Waters
Eshoo	Moran	Watt
Farr	Murphy (CT)	Waxman
Fattah	Nadler	Welch
Filner	Napolitano	Wilson (FL)
Frank (MA)	Neal	Woolsey

NOES—267

Adams	Bishop (UT)	Capito
Aderholt	Black	Carter
Akin	Blackburn	Cassidy
Alexander	Bonner	Chabot
Altmire	Bono Mack	Chaffetz
Amash	Boren	Chandler
Amodei	Boswell	Coble
Austria	Boustany	Coffman (CO)
Bachmann	Brady (TX)	Cole
Bachus	Brooks	Conaway
Barletta	Broun (GA)	Cooper
Barrow	Buchanan	Costa
Bartlett	Bucshon	Cravaack
Barton (TX)	Buerkle	Crawford
Bass (NH)	Burgess	Crenshaw
Benishkek	Burton (IN)	Critz
Berg	Calvert	Cuellar
Biggert	Camp	Culberson
Bilirakis	Canseco	Davis (KY)
Bishop (GA)	Cantor	Denham

Dent	Johnson (OH)	Reed
DesJarlais	Johnson, Sam	Rehberg
Diaz-Balart	Jones	Renacci
Dingell	Jordan	Ribble
Dold	Kelly	Rigell
Donnelly (IN)	Kind	Rivera
Dreier	King (IA)	Roby
Duffy	King (NY)	Roe (TN)
Duncan (SC)	Kingston	Rogers (AL)
Duncan (TN)	Kinzinger (IL)	Rogers (KY)
Ellmers	Kline	Rogers (MI)
Emerson	Labrador	Rohrabacher
Farenthold	Lamborn	Rokita
Fincher	Lance	Rooney
Fitzpatrick	Landry	Ros-Lehtinen
Flake	Lankford	Roskam
Fleischmann	Latham	Ross (AR)
Fleming	LaTourette	Ross (FL)
Flores	Latta	Royce
Forbes	Lewis (CA)	Runyan
Fortenberry	LoBiondo	Ryan (WI)
Fox	Long	Scalise
Franks (AZ)	Lucas	Schilling
Frelinghuysen	Luetkemeyer	Schmidt
Gallegly	Lummis	Schock
Gardner	Lungren, Daniel E.	Schweikert
Garrett	Mack	Scott (SC)
Gerlach	Manzullo	Scott, Austin
Gibbs	Marchant	Sensenbrenner
Gibson	Marino	Sessions
Gingrey (GA)	Matheson	Sewell
Gohmert	Matheson	Shimkus
Gonzalez	McCarthy (CA)	Shuler
Goodlatte	McCauley	Shuster
Gosar	McClintock	Simpson
Gowdy	McCotter	Smith (NE)
Granger	McHenry	Smith (NJ)
Graves (GA)	McIntyre	Smith (TX)
Graves (MO)	McKeon	Southerland
Green, Al	McKinley	Stearns
Green, Gene	McMorris	Stivers
Griffin (AR)	Rodgers	Sutzman
Griffith (VA)	Meehan	Sullivan
Grimm	Mica	Terry
Guinta	Michaud	Thompson (MS)
Guthrie	Miller (FL)	Thompson (PA)
Hall	Miller (MI)	Thornberry
Hanna	Miller, Gary	Tiberi
Harper	Mulvaney	Tipton
Harris	Murphy (PA)	Turner (NY)
Hartzler	Myrick	Turner (OH)
Hastings (WA)	Neugebauer	Upton
Hayworth	Noem	Walberg
Heck	Nugent	Walden
Hensarling	Nunes	Walsh (LL)
Herger	Nunnelee	Walz (MN)
Herrera Beutler	Olson	Webster
Hinojosa	Palazzo	West
Hochul	Paulsen	Westmoreland
Holden	Pearce	Whitfield
Huelskamp	Pence	Dicks
Huizenga (MI)	Peterson	Dingell
Hultgren	Petri	Doggett
Hunter	Pitts	Doyle
Hurt	Platts	Edwards
Issa	Poe (TX)	Ellison
Jackson Lee	Pompeo	Engel
(TX)	Posey	Eshoo
Jenkins	Price (GA)	Farr
Johnson (IL)	Quayle	Fattah
		Filner
		Frank (MA)
		Frelinghuysen
		Fudge
		Garamendi
		Graves (GA)
		Grijalva
		Serrano
		Slaughter

NOT VOTING—6

Campbell	Payne	Serrano
Paul	Rangel	Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 30 seconds remaining.

□ 1833

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

AMENDMENT NO. 9 OFFERED BY MR. BISHOP OF NEW YORK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. BISHOP) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 169, noes 257, not voting 7, as follows:

[Roll No. 61]

AYES—169

Ackerman	Gutierrez	Pallone
Andrews	Hahn	Pascarell
Baca	Hanabusa	Pastor (AZ)
Baldwin	Hastings (FL)	Pelosi
Bass (CA)	Heinrich	Perlmutter
Becerra	Higgins	Peters
Berkley	Berkley	Pingree (ME)
Berman	Hinchev	Polis
Bishop (NY)	Hinojosa	Price (NC)
Blumenauer	Hirono	Quigley
Bonomici	Bonamici	Hochul
Brady (PA)	Brady (PA)	Holt
Bralley (IA)	Brown (FL)	Honda
Brown (FL)	Butterfield	Hoyer
Butterfield	Capps	Insee
Capps	Capuano	Israel
Cardoza	Cardoza	Jackson (IL)
Carnahan	Carnahan	Jackson Lee
Carney	Carney	(TX)
Carson (IN)	Carson (IN)	Johnson (GA)
Castor (FL)	Castor (FL)	Johnson, E. B.
Chandler	Chandler	Kaptur
Chu	Chu	Keating
Ciulline	Ciulline	Kildee
Clarke (MI)	Clarke (MI)	Kissell
Clarke (NY)	Clarke (NY)	Kucinich
Clay	Clay	Lance
Cleaver	Clyburn	Langevin
Clyburn	Cohen	Larsen (WA)
Cohen	Connolly (VA)	Larson (CT)
Connolly (VA)	Conyers	Lee (CA)
Conyers	Costello	Levin
Costello	Courtney	Lewis (GA)
Courtney	Crowley	LoBiondo
Crowley	Cummings	Davis (CA)
Cummings	Davis (CA)	Davis (IL)
Davis (CA)	Davis (IL)	DeFazio
Davis (IL)	DeFazio	DeGette
DeFazio	DeGette	DeLauro
DeGette	DeLauro	Deutch
DeLauro	Deutch	Dicks
Deutch	Dicks	Dingell
Dicks	Dingell	Doggett
Doggett	Doggett	Doyle
Doyle	Doyle	Edwards
Edwards	Edwards	Ellison
Ellison	Engel	Engel
Engel	Eshoo	Eshoo
Engel	Farr	Farr
Eshoo	Farr	Fattah
Farr	Fattah	Filner
Fattah	Filner	Frank (MA)
Filner	Frank (MA)	Frelinghuysen
Frank (MA)	Frelinghuysen	Fudge
	Fudge	Garamendi
	Garamendi	Graves (GA)
	Graves (GA)	Grijalva
	Grijalva	Owens
	Owens	Bishop (UT)
	Bishop (UT)	Capito
	Black	Carter
	Blackburn	Cassidy
	Bonner	Chabot
	Bono Mack	Chaffetz
	Boren	Coble
	Boswell	Coffman (CO)
	Boustany	Cole
	Brady (TX)	Conaway
	Brooks	Cooper
	Broun (GA)	Costa
	Buchanan	Cravaack
	Bucshon	Crawford
	Buerkle	Crenshaw
	Burgess	Critz
	Burton (IN)	Cuellar
	Calvert	Culberson
	Camp	Davis (KY)
	Canseco	Denham
	Cantor	Dent
		DesJarlais

NOES—257

Diaz-Balart Kind  
 Dold King (IA)  
 Donnelly (IN) King (NY)  
 Dreier Kingston  
 Duffy Kinzinger (IL)  
 Duncan (SC) Kline  
 Duncan (TN) Labrador  
 Ellmers Lamborn  
 Emerson Landry  
 Farenthold Lankford  
 Fincher Latham  
 Fitzpatrick LaTourette  
 Flake Latta  
 Fleischmann Lewis (CA)  
 Fleming Loeb sack  
 Flores Long  
 Forbes Lucas  
 Fortenberry Luetkemeyer  
 Foxx Lummis  
 Franks (AZ) Lungren, Daniel  
 Gallegly E.  
 Gardner Mack  
 Garrett Manzullo  
 Gerlach Marchant  
 Gibbs Marino  
 Gibson Matheson  
 Gingrey (GA) McCarthy (CA)  
 Gohmert McCaul  
 Gonzalez McClintock  
 Goodlatte McCotter  
 Gosar McHenry  
 Gowdy McIntyre  
 Granger McKeon  
 Graves (MO) McKinley  
 Green, Al McMorris  
 Green, Gene Rodgers  
 Griffin (AR) Meehan  
 Griffith (VA) Mica  
 Grimm Michaud  
 Guinta Miller (FL)  
 Guthrie Miller (MI)  
 Hall Miller, Gary  
 Hanna Mulvaney  
 Harper Murphy (PA)  
 Harris Myrick  
 Hartzler Neugebauer  
 Hastings (WA) Noem  
 Heck Nugent  
 Hensarling Nunes  
 Henger Nunnelee  
 Olsson  
 Herrera Beutler Palazzo  
 Holden Paulsen  
 Huelskamp Pearce  
 Huizenga (MI) Pence  
 Hultgren Peterson  
 Hunter Petri  
 Hurt Pitts  
 Issa Platts  
 Jenkins Poe (TX)  
 Johnson (IL) Pompeo  
 Johnson (OH) Yarmuth  
 Johnson, Sam Posey  
 Jones Price (GA)  
 Jordan Quayle  
 Kelly Reed  
 Rehberg Young (IN)

NOT VOTING—7

Campbell Payne Slaughter  
 Cleaver Rangel  
 Paul Serrano

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
 There are 30 seconds remaining.

□ 1837

So the amendment was rejected.

The result of the vote was announced  
 as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. LANDRY

The Acting CHAIR. The unfinished  
 business is the demand for a recorded  
 vote on the amendment offered by the  
 gentleman from Louisiana (Mr.  
 LANDRY) on which further proceedings  
 were postponed and on which the ayes  
 prevailed by voice vote.

The Clerk will redesignate the  
 amendment.

The Clerk redesignated the amend-  
 ment.

RECORDED VOTE  
 The Acting CHAIR. A recorded vote  
 has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-  
 minute vote.

The vote was taken by electronic de-  
 vice, and there were—ayes 266, noes 159,  
 not voting 8, as follows:

[Roll No. 62]

AYES—266

Adams Gallegly McMorris  
 Aderholt Garamendi Rodgers  
 Akin Gardner Meehan  
 Alexander Garrett Mica  
 Altmire Gerlach Michaud  
 Amash Gibbs Miller (FL)  
 Amodei Gohmert Miller, Gary  
 Austria Mulvaney  
 Bachmann Goodlatte  
 Bachus Myrick  
 Barletta Neugebauer  
 Bartlett Noem  
 Barton (TX) Granger  
 Benishek Graves (GA)  
 Berg Graves (MO)  
 Green, Al  
 Green, Gene Olson  
 Griffin (AR) Palazzo  
 Griffith (VA) Pastor (AZ)  
 Grimm Paulsen  
 Guinta Pearce  
 Guthrie Guthrie Pence  
 Hall Bonner Petri  
 Pitts  
 Platts  
 Poe (TX) Pompeo  
 Pompey Posey  
 Price (GA) Courtney  
 Quayle  
 Reed  
 Rehberg  
 Young (IN)

Upton Westmoreland Womack  
 Walberg Whitfield Neal  
 Walden Wilson (FL) Yoder  
 Walsh (IL) Wilson (SC) Young (AK)  
 Webster Wittman Young (FL)  
 West Wolf Young (IN)

NOES—159

Ackerman Gibson Napolitano  
 Andrews Grijalva Neal  
 Baca Gutierrez Olver  
 Baldwin Hahn Owens  
 Barrow Hastings (FL) Pallone  
 Bass (CA) Hayworth Pascrell  
 Bass (NH) Heinrich Pelosi  
 Becerra Higgins Perlmutter  
 Berkley Himes Peters  
 Berman Hinchey Peterson  
 Biggert Hirono Pingree (ME)  
 Bishop (NY) Hochul Polis  
 Blumenauer Holden Price (NC)  
 Bonamici Holt  
 Boswell Honda Quigley  
 Brady (PA) Hoyer Rahall  
 Braley (IA) Inslee Rothman (NJ)  
 Butterfield Israel Roybal-Allard  
 Capps Johnson (GA) Ruppersberger  
 Capuano Johnson (IL) Ryan (OH)  
 Cardoza Kaptur Sanchez, Linda  
 Carnahan Keating T.  
 Carney Kildee Sanchez, Loretta  
 Carson (IN) Kind Sarbanes  
 Castor (FL) Kucinich Schakowsky  
 Chandler Langevin Schiff  
 Chu Larsen (WA) Schrader  
 Cicilline Lee (CA) Schwartz  
 Clarke (MI) Levin Scott (VA)  
 Connolly (VA) Lewis (GA) Sherman  
 Conyers Lipinski Shuler  
 Cooper LoBiondo Sires  
 Costello Loeb sack Smith (NJ)  
 Courtney Lofgren, Zoe Smith (WA)  
 Critz Lowey Speier  
 Quayle Stark  
 Lujan Sutton  
 Crowley Lummis Thompson (CA)  
 Davis (CA) Lynch Tierney  
 DeFazio Maloney Tipton  
 DeGette Markey Waxman  
 DeLauro Matsui Tonko  
 Deutch McCarthy (NY) Tsongas  
 Dicks McCollum Van Hollen  
 Dingell McDermott Velázquez  
 Donnelly (IN) McGovern Vislosky  
 Doyle McNeerney Walz (MN)  
 Edwards Meeks Wasserman  
 Ellison Miller (MI) Schultz  
 Engel Miller (NC) Waters  
 Eshoo Miller, George Watt  
 Farr Moore Waxman  
 Fattah Moran Welch  
 Filner Murphy (CT) Woolsey  
 Frank (MA) Nadler Yarmuth

NOT VOTING—8

Campbell Paul Serrano  
 Cleaver Payne Slaughter  
 Gingrey (GA) Rangel

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
 There are 30 seconds remaining.

□ 1841

Ms. EDWARDS and Mr. CARNEY  
 changed their vote from “aye” to “no.”  
 Mr. ROHRABACHER changed his  
 vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced  
 as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. DEUTCH

The Acting CHAIR. The unfinished  
 business is the demand for a recorded  
 vote on the amendment offered by the  
 gentleman from Florida (Mr. DEUTCH)  
 on which further proceedings were  
 postponed and on which the noes pre-  
 vailed by voice vote.

The Clerk will redesignate the  
 amendment.

The Clerk redesignated the amend-  
 ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 188, noes 236, not voting 9, as follows:

[Roll No. 63]

AYES—188

Ackerman	Fitzpatrick	Nadler
Altmire	Frank (MA)	Napolitano
Andrews	Fudge	Neal
Baca	Garamendi	Olver
Baldwin	Gibson	Owens
Barrow	Gohmert	Pallone
Bass (CA)	Green, Al	Pascarell
Becerra	Grijalva	Pastor (AZ)
Berkley	Gutierrez	Pelosi
Berman	Hahn	Peters
Bishop (GA)	Hanabusa	Pingree (ME)
Bishop (NY)	Hastings (FL)	Polis
Blumenauer	Heinrich	Price (NC)
Bonamici	Higgins	Quigley
Boswell	Hinchee	Rahall
Brady (PA)	Hinojosa	Reichert
Braley (IA)	Hirono	Reyes
Brown (FL)	Hochul	Richardson
Buchanan	Holden	Richmond
Butterfield	Holt	Ros-Lehtinen
Capps	Honda	Rothman (NJ)
Capuano	Hoyer	Royal-Allard
Cardoza	Inslee	Ruppersberger
Carnahan	Israel	Rush
Carney	Jackson (IL)	Ryan (OH)
Carson (IN)	Jackson Lee	Sánchez, Linda
Castor (FL)	(TX)	T. Sanchez, Loretta
Chandler	Johnson (GA)	Sarbanes
Chu	Johnson, E. B.	Schakowsky
Cicilline	Jones	Schiff
Clarke (MI)	Kaptur	Schrader
Clarke (NY)	Keating	Schwartz
Clay	Kildee	Scott (VA)
Clyburn	Kissell	Scott, David
Coffman (CO)	Kucinich	Sewell
Cohen	Langevin	Sherman
Connolly (VA)	Larson (CT)	Sires
Conyers	Lee (CA)	Smith (NJ)
Cooper	Levin	Smith (WA)
Costello	Lewis (GA)	Smith (WA)
Courtney	Lipinski	Speier
Critz	LoBiondo	Stark
Crowley	Loebsock	Sutton
Cuellar	Lofgren, Zoe	Thompson (CA)
Cummings	Lowey	Thompson (MS)
Davis (CA)	Luján	Tierney
Davis (IL)	Lynch	Tonko
DeFazio	Markey	Towns
DeGette	Matsui	Tsongas
DeLauro	McCarthy (NY)	Van Hollen
Dent	McCollum	Velázquez
Deutch	McDermott	Visclosky
Dicks	McGovern	Walz (MN)
Dingell	McIntyre	Wasserman
Doggett	McNerney	Schultz
Donnelly (IN)	Meehan	Waters
Doyle	Meeks	Watt
Edwards	Michaud	Waxman
Ellison	Miller (FL)	Welch
Engel	Miller (NC)	Wilson (FL)
Eshoo	Miller, George	Woolsey
Farr	Moore	Yarmuth
Fattah	Moran	Young (FL)
Filner	Murphy (CT)	

NOES—236

Adams	Bishop (UT)	Capito
Aderholt	Black	Carter
Akin	Blackburn	Cassidy
Alexander	Bonner	Chabot
Amash	Bono Mack	Chaffetz
Amodei	Boren	Coble
Austria	Boustany	Cole
Bachmann	Brady (TX)	Conaway
Bachus	Brooks	Costa
Barletta	Broun (GA)	Cravaack
Bartlett	Bucshon	Crawford
Barton (TX)	Buerkle	Crenshaw
Bass (NH)	Burgess	Culberson
Benishkek	Burton (IN)	Davis (KY)
Berg	Calvert	Denham
Biggert	Camp	DesJarlais
Bilbray	Canseco	Diaz-Balart
Bilirakis	Cantor	Dold

Dreier	Kingston	Ribble
Duffy	Kinzinger (IL)	Rigell
Duncan (SC)	Kline	Rivera
Duncan (TN)	Labrador	Roby
Ellmers	Lamborn	Roe (TN)
Emerson	Lance	Rogers (AL)
Farenthold	Landry	Rogers (KY)
Fincher	Lankford	Rogers (MI)
Flake	Larsen (WA)	Rohrabacher
Fleischmann	Latham	Rokita
Fleming	LaTourette	Rooney
Flores	Latta	Roskam
Forbes	Lewis (CA)	Ross (AR)
Fortenberry	Long	Ross (FL)
Fox	Lucas	Royce
Franks (AZ)	Luetkemeyer	Runyan
Frelinghuysen	Lummis	Ryan (WI)
Gallegly	Lungren, Daniel	Scalise
Gardner	E.	Schilling
Garrett	Mack	Schmidt
Gerlach	Manzullo	Schock
Gibbs	Marchant	Schweikert
Gingrey (GA)	Marino	Scott (SC)
Gonzalez	Matheson	Scott, Austin
Goodlatte	McCarthy (CA)	Sensenbrenner
Gosar	McCaul	Sessions
Govdy	McClintock	Shimkus
Granger	McCotter	Shuler
Graves (GA)	McHenry	Shuster
Graves (MO)	McKeon	Simpson
Green, Gene	McKinley	Smith (NE)
Griffin (AR)	McMorris	Smith (TX)
Griffith (VA)	Rodgers	Southerland
Grimm	Mica	Stearns
Guinta	Miller (MI)	Stivers
Guthrie	Miller, Gary	Stutzman
Hall	Mulvaney	Sullivan
Hanna	Murphy (PA)	Terry
Harper	Myrick	Thompson (PA)
Harris	Neugebauer	Thornberry
Hartzler	Noem	Tiberi
Hastings (WA)	Nugent	Tipton
Hayworth	Nunes	Turner (NY)
Heck	Nunnelee	Turner (OH)
Hensarling	Olson	Upton
Herger	Palazzo	Walberg
Herrera Beutler	Paulsen	Walden
Huelskamp	Pearce	Walsh (IL)
Huizenga (MI)	Pence	Webster
Hultgren	Perlmutter	West
Hunter	Peterson	Westmoreland
Hurt	Petri	Whitfield
Issa	Pitts	Wilson (SC)
Jenkins	Platts	Wittman
Johnson (IL)	Poe (TX)	Wolf
Johnson (OH)	Pompeo	Womack
Johnson, Sam	Posey	Woodall
Jordan	Price (GA)	Yoder
Kelly	Quayle	Young (AK)
Kind	Reed	Young (IN)
King (IA)	Rehberg	
King (NY)	Renacci	

NOT VOTING—9

Campbell	Maloney	Rangel
Cleaver	Paul	Serrano
Himes	Payne	Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 30 seconds remaining.

□ 1845

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote numbers 56, 57, 58, 59, 60, 61, 62, 63. Had I been present, I would have voted "aye" on rollcall vote numbers 56, 57, 58, 59, 60, 61, and 63. I would have voted "no" on rollcall vote number 62.

Mr. HASTINGS of Washington. 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. CASSIDY) having assumed the chair, Mr. CHAFFETZ, Acting Chair of the Committee of the Whole House on the state

of the Union, reported that that Committee, having had under consideration the bill (H.R. 3408) to set clear rules for the development of United States oil shale resources, to promote shale technology research and development, and for other purposes, had come to no resolution thereon.

APPOINTMENT OF MEMBER TO UNITED STATES HOLOCAUST MEMORIAL COUNCIL

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 36 U.S.C. 2302, and the order of the House of January 5, 2011, of the following Member of the House to the United States Holocaust Memorial Council:

Mr. ISRAEL, New York.

ST. JUDE'S CHARITABLE AUCTION

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

Mr. FLEMING. Mr. Speaker, for 50 years, the St. Jude Children's Research Hospital has been one of the leading facilities for researching and treating catastrophic diseases in children. Every year, nearly 8,000 children are treated at St. Jude. That's why I'm proud of a group of friends back in my hometown who, for 36 years, have been raising money for St. Jude through an annual auction.

When the auction started, the first goal they set and reached was \$10,000. Well, that has long since been eclipsed. This year was another record-breaking year. The Minden, Louisiana, St. Jude auction held earlier this month raised \$1,065,235 to help the ongoing work of saving children's lives.

So thank you to Melissa Brown and Christie Ruple, the cochairs of the Minden St. Jude auction. And thank you to Pete Treat who, after suffering the terrible loss of his 5-year-old daughter to leukemia, started the Minden St. Jude auction and now has had the privilege of watching that auction raise more than \$1 million for the St. Jude Children's Research Hospital.

□ 1850

REMEMBERING WHITNEY HOUSTON

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

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today to speak of a loss that so many have spoken about over the last week, and that is the loss of Whitney Houston. I would imagine that everyone would acknowledge the beauty of her music and certainly the beauty that she was as a person and a human being. What a very sad loss for her daughter, Bobbi, and her mother, Cissy, her aunt, Dionne Warwick, and the extended family members who loved her dearly.

We cannot help but be reminded of Whitney's beautiful voice singing "The

Star Spangled Banner” after and during the Gulf War. Or the words that she sang, “Yes, Jesus Loves Me” in the song that she sang in the first acting effort that she did in “The Bodyguard” that was so superb. And we can’t help but be reminded of that song “I Will Always Love You” that has touched everyone’s heart. Whitney touched our hearts. And my constituents, Kim Burrell, Bishop Woodard and others, are deeply saddened. And our good friend, Congressman DON PAYNE, who has been in touch with the family and is helping, he has been a comfort as well.

I simply wanted to say: Whitney, you’ve given us much joy. We’ll remember your music of the seventies and eighties. Many of us danced to it, but many of us were made happy by it. And we realize that your legacy will survive. We thank you, and we thank your wonderful family for sharing you for some more than 20 years. And we thank you for that beautiful, beautiful voice that sang “The Star Spangled Banner” like we’ve never heard it before. We will always love you. God bless you, and may you rest in peace.

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#### HAPPY BIRTHDAY FORMER CONGRESSMAN LOUIS STOKES

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

Ms. KAPTUR. Mr. Speaker, I rise with great privilege to wish a very happy birthday that will come on February 23 to one of our most distinguished Members who served for so many years, Congressman Louis Stokes of Cleveland, Ohio. He will turn 87 on February 23. And truly, he deserves recognition during this Black History Month, and I pay him his due honor.

He grew up in difficult circumstances in public housing. His widowed mother had to raise her two sons, one of which, Louis, became the first African American congressman ever elected from the State of Ohio, and his brother, Carl, the first African American mayor of Cleveland, Ohio. Can you imagine that family? Can you imagine their struggle?

I wish to place in the RECORD tonight some of his story. One of the tremendous accomplishments that he achieved as an attorney was trying many cases in front of the U.S. Supreme Court, including a case which created Ohio’s first mostly minority congressional district, and then later in life he had the opportunity to run for that seat. He changed the face of this country.

I’m just so pleased to call him our friend, and let us take the time to fully recognize the admirable and path-breaking contributions of former Congressman Louis Stokes during this year’s Black History Month. He deserves it.

[From Cleveland.com, Feb. 13, 2012]

LAWYER LOUIS STOKES BECAME OHIO’S FIRST  
BLACK CONGRESSMAN: BLACK HISTORY MONTH  
(By Grant Segall)

As part of Black History Month, we honor Louis Stokes, Ohio’s first black congressman.

Stokes, who turns 87 on Feb. 23, still practices law with Squire Sanders, mostly in Washington, D.C.

At the Outhwaite housing project, a young, widowed Louise Stokes used to display her hands, callused from maid’s work, and tell her boys to work with their minds. A calm, genial Lou helped her raise his flamboyant kid brother, Carl, who became the first black mayor of a major U.S. city.

Lou graduated from Cleveland Central High School and after serving three years in the military in World War II, earned his law degree in 1953.

He became a leading lawyer. He argued three cases before the U.S. Supreme Court and persuaded it to create Ohio’s first mostly minority congressional district in 1968. Local leaders persuaded him to represent it.

In Washington, Stokes chaired a committee probing John F. Kennedy’s assassination, dressed down Col. Oliver North over the Iran-Contra scandal and steered vast sums to health clinics, job programs and veterans care. At home, he launched a famous district caucus and Labor Day parade. After 30 years, he retired undefeated.

A dozen or so landmarks have been named for him, including a building at the National Institutes of Health.

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#### GOP DOCTORS CAUCUS: SAVE MEDICARE

The SPEAKER pro tempore (Mr. BERG). Under the Speaker’s announced policy of January 5, 2011, the gentleman from Louisiana (Mr. FLEMING) is recognized for 60 minutes as the designee of the majority leader.

Mr. FLEMING. Mr. Speaker, once again the GOP Doctors Caucus comes together to discuss important matters regarding health care. Tonight we’re going to focus on saving Medicare. This has been a very interesting discussion going back to the days of the ObamaCare debate where we talked about how we would finance ObamaCare. And lo and behold in the middle of the debate, we find out that the Members of the other side of the aisle decide that they’re going to help finance ObamaCare by taking out over \$500 billion—half a trillion—\$500 billion from Medicare over the next 10 years in order to help finance ObamaCare.

Now if you think about this, the CBO states that Medicare may become insolvent as early as 2016. So I think the focus right now with regard to Medicare, an important part of our entitlement program, has got to be how are we going to save Medicare. I have an array of colleagues here this evening that are going to help me develop that issue.

Again, I’ll go back to the financing of ObamaCare, and that is cutting out over half a trillion dollars from Medicare in order to help finance ObamaCare. And there are some other pieces of the financing as well—the individual mandate which is soon to go

to the Supreme Court. And if that is struck down, that will be another piece of the financing that won’t be available. Tax increases, increases of taxes, excise taxes, taxes on equipment, taxes on tanning beds, many different new taxes, as much as \$800 billion over 10 years of new taxes in order to finance ObamaCare.

Then there was the CLASS Act, which was long term health care, which the actuaries said from the beginning would not work. It would not finance anything.

And then last, but not least, is the student loan program, which was nationalized in order to siphon off profits from that in order to help finance ObamaCare. And we hear talk now about forgiving those loans which means that it’ll probably be another bailout, like the mortgage.

So, Mr. Speaker, I have to speak out tonight on the fact that ObamaCare is going to bankrupt this country if it is actually fully implemented. But more importantly, Medicare will become insolvent as early as 2016. We’re going to be talking about how that’s happening, how we’re seeing skyrocketing costs. And some of the things perhaps that will be discussed tonight will be how we can save Medicare.

Again, in closing my initial comments here, I will have to emphasize to you that our colleagues from the other side, inasmuch as they somehow want to blame us for ending Medicare, which not a single Member on the Republican side wants to do, of course, but they accuse us of this, but in fact they have yet to submit a plan that will save Medicare, will prevent it from becoming insolvent by 2016 or 2022, depending on whom you believe.

So with these opening remarks, I would like to open the floor to my good friend, Dr. HARRIS from Maryland, and would love to hear some of your comments about saving Medicare and other matters having to do with health care.

Mr. HARRIS. Thank you for yielding to me to speak on this very important issue.

Mr. Speaker, as the gentleman from Louisiana has said, we really have to talk about saving Medicare. Medicare is under assault in a way that it has never been under assault before. The gentleman from Louisiana mentioned quite accurately that the President’s health care bill passed 2 years ago would take \$500 billion from Medicare spending on our seniors who are currently receiving Medicare—\$500 billion. Now, how are they going to do that? What are we not going to deliver to those seniors?

Well, the way it’s done is the President appoints the Independent Payment Advisory Board, 15 appointed, not elected members, no appeal from their judgment.

□ 1900

What they’re going to do is they’re going to say in a year when it looks like we’re going to spend a little more

on Medicare than the country can afford by the budget, we're going to decide what can and can't be delivered. The President's budget he just released this week makes it even worse because it sets even a lower budget target for Medicare spending. And, of course, the President doesn't even deal with the issue that's before the House this week, which is what are we going to do about physician payments.

Now, Mr. Speaker, I represent a rural area of Maryland, Maryland's First Congressional District, where it's already very difficult for seniors to find a physician who is willing to take a new Medicare patient because, to be honest with you, they're afraid that their pay is going to be cut 30 percent at the end of this month, on February 29. And the President, in his budget, doesn't even deal with this issue. The President doubles down on the President's health care act. He sticks to that \$500 billion in cuts that are going to occur. And not only that, he lowers the threshold for that Independent Payment Advisory Board to begin rationing care to our seniors. We have got to save Medicare.

Mr. Speaker, some of the people listening are going to say, well, we're not going to believe these people. They all wanted to vote against the President's health care bill. Mr. Speaker, they don't need to believe us. Go to the Congressional Budget Office's Web site. It's nonpartisan. It doesn't pick sides. It says that the Medicare plan is going to go broke by the end of this decade. And if you don't believe them, go to the Medicare trustee's Web site. Just go to Google and search Medicare trustee's report. They say it goes bankrupt a few years after that.

Mr. Speaker, the gentleman is right. We have to address Medicare, and we have to address it now before the President's health care act destroys health care for seniors. My mother, who is 88 years old, depends on her Medicare. She depends on her prescription drug coverage. She depends on it to have access to the physicians that she needs for her health care. And, Mr. Speaker, I'm afraid that under the President's plan, my mother, and millions of other Americans, our seniors receiving Medicare, are just not going to have the care they're used to and that they deserve. We need to save Medicare.

Mr. Speaker, I think we're going to hear about some of the ideas tonight about how we're going to do that. So I want to thank my colleague from Louisiana for yielding me these few minutes, and thank you for coming to the floor and doing this work tonight so that we show our Members and show the public who's watching how we have to save Medicare for our seniors. Thank you for yielding to me.

Mr. FLEMING. I thank the gentleman from Maryland, my good friend, who is an anesthesiologist, a practicing anesthesiologist for a number of years and very experienced.

Before I recognize my friend from Georgia (Mr. GINGREY), I did want to

point out a couple of things. Remember I said a moment ago the CMS actuary in this case projects the Medicare program could be bankrupt as early as 2016. This is 2012. That's 4 years, Mr. Speaker.

Where is the Democrat plan to save Medicare? Republicans, on the other hand, we've already passed a budget last year. We're working on another one this year that would do that. We just could not get HARRY REID to even salute it, much less have a vote on it.

Also, Medicare costs are projected to grow substantially from approximately 3.6 percent of GDP in 2010 to 5.5 percent by 2035. The physician payment formula in Medicare needs to be fixed or seniors may lose their doctor as it costs \$316 billion. And that's what Dr. HARRIS was referring to, that it's already very difficult for doctors to make it on what they're paid, and they're looking at a cliff of a 30 percent reduction in their pay. If that goes into effect, Mr. Speaker, a lot of seniors out there will not have access to health care.

So I want to show you, before I recognize my good friend, what this means in graphic form. And as you can see, the purple aspect of this is Social Security. The green is Medicaid and other health care. You see it rising very fairly steadily, but plateauing. But look at the red. That's Medicare. That is Medicare.

And in out-years, going all the way out to 2080, it just goes straight up. Of course, that's largely due to an aging population, baby boomers like myself getting older. But everything about this program has way outdistanced any projections of what those costs are. So this really takes it up to a point where Medicare alone, if not dealt with, not reformed and saved, will eventually displace all of our budgetary spending, that alone. And of course that means no defense, no nothing else, no running government whatsoever.

With that, I would like to recognize my good friend, Dr. PHIL GINGREY, a gynecologist-obstetrician from the great State of Georgia.

Mr. GINGREY of Georgia. Mr. Speaker, I thank my colleague from Louisiana for yielding. And as I look out over this packed House Chamber, and I see seven of my colleagues who are in these, that are participating in this Special Order hour on saving Medicare this evening, I'm estimating that there are about 175 years of clinical experience in the aggregate among these doctors.

I am very appreciative, Mr. Speaker, of the Republican leadership and the leadership of our committees that deal with health care, and I'm referring mainly to Ways and Means, Energy and Commerce, and Education and Workforce. And many of the Members here tonight serve on one of those three committees. So our work in the Congress, although not exclusively on health care, I think each and every one of us is a member of the House GOP

Doctors Caucus, came to Washington, gave up our medical careers with mixed emotions, I guess, but feeling that there was a need—there was a need—that we had to try to address. Thankfully, our leadership has committed to the House GOP Doctors Caucus that we will be part of the discussion, and we will be part of the solution to saving Medicare.

I think I can speak for my colleagues, Mr. Speaker, in regard to our universal opposition to this new entitlement program, the Patient Protection and Affordable Care Act, sometimes referred to as ObamaCare. We are opposed not solely because of its threat to Medicare, but to a large part because of that. And my colleague from the Eastern Shore, Dr. HARRIS, spoke of the amount of money that was taken out of the Medicare program, something north of \$500 billion, and from a program that he also emphasized, as did Dr. FLEMING, that by a date certain, it could be as early as 2016, Medicare part A, the hospital trust fund, will be broke. It will be insolvent. There won't be any money there to honor those claims.

Mr. Speaker, the gentleman from Maryland, Dr. HARRIS, referenced his aging mom, and I hope she's in good health. And we love our moms. His mom is 88; my mom is 94, Mr. Speaker. And my mom's life is just as precious to her as anybody's life in this Chamber that may be 60 years younger than Mom Gingrey, Helen Gingrey, at age 94. But she depends on this program. She wouldn't be alive today if it weren't for the benefits that were available to her, whether it's medication under part D or whether it's the ability to be treated for cancer, which she recently was and had a surgical procedure.

So I don't want to take too much of the allotted time tonight because, my colleagues, I want to hear from them; but I just want to say this, that we as the House GOP Doctors Caucus, in conjunction with the physicians in the Senate, sent a letter 2 weeks ago to the AARP, American Association of Retired Persons. I don't know how many people age 50 are retired, but when you include all of these folks that join AARP under the senior status, you're talking about 35 million or more that are in that organization.

□ 1910

So we felt very strongly, Mr. Speaker, that we needed to reach out to this organization—which we did. I think some 26 Members, House and Senate, signed a letter and asked them to meet with us. By the way, Mr. Speaker, we did hear back from the executive director, Barry Rand, just within the last couple of days.

So what we want to do is say to them, no matter where we have been in the past in regard to issues of Medicare part D, the support of or opposition to ObamaCare, clearly, surely we can all agree in a bipartisan way that we have

to save Medicare. That's what this hour is all about, to talk about that. And I look forward to the opportunity, without a lot of public fanfare, until we decide what we can agree on and what we can come forward with in regard to saving Medicare.

We, the physicians, the health care providers in the House and Senate, in conjunction with the American Association of Retired Persons and other retired groups, the one that Jim Martin leads—one of my colleagues will mention that in a few minutes. All of a sudden, I'm having a senior moment on the name of that group, but a great group, a great organization. We're going to work together on this. We're going to go forward to the American people in a bipartisan way and say, you know what, we're going to do it now. We're not going to worry about the results of the next election. That will take care of itself. The American people understand who they want in Congress and who they want at 1600 Pennsylvania Avenue based on what we do to save these legacy programs.

I thank my colleague for yielding me the time.

Mr. FLEMING. I thank the gentleman from Georgia, my colleague and physician.

Let me say parenthetically here that what are some of the things that we in this Chamber, we Republicans from the Doc Caucus—which, by the way, is 23 strong, which includes three nurses, two dentists, and one psychologist.

So what are some of the things that we agree on moving forward that we really need in terms of saving Medicare?

Well, I can tell you one thing that everybody agrees on, and that is that we need robust competition among providers—doctors, hospitals, insurance companies. There is no reason why they shouldn't have to deal with the competition of market forces. And why? Because everything in America that we see improves improves because of the marketplace; that is that when you compete, it makes you work harder; it makes you try harder; it raises the level of effort; and, ultimately, you end up with better quality service products and you end up with lower cost to the consumer.

We also agree that we want choices for Americans. Today, there are a lot of choices even for Medicare recipients that just aren't there, and we want that to occur.

We also want to move away from a top-down bureaucratic system where, again, a 15-member appointed board of bureaucrats—nameless, faceless, unelectable, unaccountable people who are selected and who will not be there to answer your call. We all agree that that is not a good thing. Instead, we want a program, a system in which you can change health care systems, you can change hospitals, doctor, insurance companies, whatever you want to do, and there's lots of transparency in order to do that. That's going to make

the quality of care improve and the cost go down.

I would now like to recognize another gentleman from Georgia. Georgia, like Louisiana, is flush with physician Members in Congress, but we'd like to have a few more, in fact. So I would like to recognize my good friend Dr. BROUN, the gentleman from Georgia.

Mr. BROUN of Georgia. Dr. FLEMING, I appreciate you yielding me some time.

Mr. Speaker, the American people need to understand very clearly that this administration, this President's policy on Medicare, as well as our Democratic colleagues here in the House and the Senate, can be summarized by four Ds: They want to deny that there's a problem; they want to delay fixing it; they want to destroy Medicare as we know it today; and they want to demonize those of us who want to fix it so that it is a good and solid program for the future generations of this country.

That's exactly what we're trying to do here tonight is focus upon the fact that, number one, they do want to deny it. They even deny that there's a problem. They keep saying that they want to save Medicare as we know it today, but Medicare is not sustainable as we know it today because it's going broke. And it's going broke because of failed policies of this administration, and it's getting worse and worse.

Hopefully, we'll see the Supreme Court throw out the Affordable Care Act, the President's reform bill, which is going to be disastrous. It's going to destroy the doctor-patient relationship. It's going to destroy budgets, from individual budgets, businesses' budgets, States' budgets, even the Federal budget. IPAB, as Dr. HARRIS was talking about, is going to be disastrous because we're going to have rationing of care.

Our Democrat colleagues and this President want to deny that there is any problem. They want to delay doing anything about it. In fact, the Ryan budget, our budget that we passed last year, started the dialogue, started the process of looking at trying to fix Medicare for future generations. But our Democrat colleagues don't want to do that. They want to delay fixing it. They just want to posture. They want to try to do anything that they can to not face the fact that we've got to deal with Medicare and the financial problems it has that my good friend from Maryland, Dr. HARRIS, talked about.

Their policy is going to destroy Medicare. They're already destroying Medicare Advantage. We've seen, as Dr. FLEMING talked about, we've already seen the President's Affordable Care Act has destroyed Medicare Advantage and has cut \$500 billion, one-half trillion dollars out of Medicare. And then they want to demonize us who want to do something about it.

I introduced my Patient Option Act, which is a comprehensive health care reform plan. It deals with Medicare. It

helps to save it for future generations. I introduced it in the last Congress. We reintroduced it to put in place a repeal section to repeal ObamaCare and replace that disastrous law that we have in place, the Affordable Care Act, for something that makes sense, that will lower the cost of all health care services and products for everybody in this country.

We are tweaking it, and I'm going to reintroduce my Patient Option Act just in the next week or two. It's just a little over 100 pages. It's a comprehensive bill. It's market-based, and it puts the doctor and patient in charge of making all health care decisions, not some bureaucrat here in Washington, D.C., that the President and our Democrat colleagues want to have in every single doctor-patient relationship. Whether you're on Medicare or not, they want to insert a bureaucrat from Washington, D.C., to make those decisions for you.

The American people need to know, Mr. Speaker, that our colleagues on the Democratic side and this President, if they have their way, they're going to deny there's a problem. They're delaying fixing it. They're going to destroy Medicare as we know it, and they want to demonize us that want to fix it.

We're not going to sit still. We're not going to have it. We're going to continue to fight to make Medicare available, make insurance available for everybody at a lower price. That's exactly what Republicans are doing.

We have a plan—many plans. Actually, there have been numerous bills introduced by many colleagues on our side, physician colleagues. Dr. TOM PRICE from Roswell, Georgia, orthopedic surgeon, one of our Georgia colleagues, introduced his plan. We've got many plans here.

So we're fighting to save Medicare. Our Democrat colleagues and this administration, this President, are going to destroy it.

Mr. FLEMING. I thank the gentleman, my good friend from Georgia, a family physician of note, and also one who has actually reentered the U.S. Marine Corps as a reserve physician as well. I admire him for that.

Before I recognize my friend from Tennessee, also another physician, I want to point out something about Medicare that is very important for everyone to think about.

Medicare was started in 1965 with a lot of promises, and the promises have been fulfilled to those recipients who get the benefits of Medicare. However, this big, beautiful apple, if you will, of Medicare, unbeknownst to a lot of people, has been slowly rotting and decaying from the inside financially in ways that the public can't see, in a way that is very soon going to be evident. And why? The reason is because even though folks pay their premiums into Medicare, they do not nearly cover the cost of Medicare. In fact, they only cover about one-third. The other two-thirds come from the providers themselves, and also from the taxpayers.

□ 1920

And that's all well and good. There's nobody we would rather do more for than those who are from the Greatest Generation, those who lived through the Great Depression, World War II.

But the fact is, we cannot continue the same way. It will totally bankrupt the country. And therefore we have got to heal this patient and, that is, we've got to save Medicare.

I want to recognize my good friend from Tennessee, also an OB-GYN, one who came here in 2009, as I did. We've grown to be great friends. And certainly, the best doctors are from the South, mostly from Louisiana and Tennessee, I think you would agree.

With that, I yield to my good friend, the gentleman from Tennessee, Dr. ROE.

Mr. ROE of Tennessee. I thank the gentleman for yielding.

Mr. Speaker, I want to thank all of my colleagues for being here tonight. And one of the things in the Health Caucus we are so blessed with are three new additions of registered nurses, psychologists, dentists. We really cover the whole spectrum of health care in, I think, 21 or 22 members of the Health Caucus now, 15 physicians. And this is the first time probably in years that the House has had this kind of support from the health care community around the Nation.

This weekend I had an opportunity to talk to my wife a little bit about what my purpose was here in this House. I'm a veteran, as you are. I served as a practicing physician, as almost, I think, every one of the Doctors Caucus on the Republican side has been out for years, decades, myself 31 years of private medical practice.

Medicare came along in 1965 when I was a college student. And the reason it came along at that point was because half of our citizens, when they retired, didn't have access to any health care coverage. So there was a problem noted. And at that point in time, that plan started as a \$3 million program, really a skeleton program in the Federal Government.

The government estimators—there was no Congressional Budget Office then—but they estimated that in 25 years this would be a \$12 billion to \$15 billion program. The actual number was \$110 billion. Today it's over \$500 billion, and a very important program because you and I, Dr. FLEMING, have seen incredible advances.

I could sit here the rest of the night and talk about the last 30-plus years of medical advances that have been applied to our patients, and medications, surgical procedures that have improved the quality of life of every American citizen.

One of the strange things that happened when I was a very young doctor, 31 years old in Johnson City, Tennessee, I noticed that 30-something years later my 40-year-old patients were in their seventies, and they were on Medicare. And I have had a chance

to follow them throughout, really, most of their adult lives and see the care that they got.

And one of the things I think that our Health Caucus and our Physicians Caucus is absolutely committed to is saving Medicare. It's a great program, but it is not sustainable.

One of the frustrations I've had here on this House floor is how can you solve a problem you can't even talk about. When you're demagogued and told that you're going to dump Grandma off a cliff, and you're going to do this, that's not solving problems, that's throwing bombs.

I think this group of men and women are here to solve these problems. Otherwise, I don't really have a purpose here in this Congress. And so I'm going to commit myself, as I think our entire Health Caucus is, to saving this vital program for our seniors.

It's been pointed out, pick your number; the estimators have been wrong before. But what if they're right? What if they're even close to being right? We've got to start solving the problem today and not wait.

The President's plan is to simply do nothing. Well, what are we talking about doing? What are we planning on doing?

Before I get to that, I want to mention IPAB a little bit. This is hard to explain in a minute or two on a TV interview we might do. But the Independent Payment Advisory Board takes health care decisions away from where the health care decisions ought to be made; and those health care decisions ought to be made between a physician, the patient, and that patient's family, not between the insurance company and not between, certainly, a bunch of bureaucrats here in Washington, D.C.

Quite frankly, I don't want a Republican President putting them on there, and I don't want a Democratic President putting them on there. I want those decisions made in the examining room and the doctor's office, between the family and the patient and the doctor.

Now, the IPAB, as Dr. HARRIS a moment ago mentioned, are 15 bureaucrats appointed. Look, we have 224 cosponsors to repeal this bill, from BARNEY FRANK to PHIL ROE. There's a lot of room in that camp to fill in, so all the Congressmen can be on this because it is a bad idea.

My colleagues over here on the other side of the aisle, quite frankly, did not have this in the House version of the bill, as you'll recall. That came in the Senate version of the bill. So we need their support, in a bipartisan way, to repeal this.

And why do we want to repeal it? We want to repeal it because it is based not on quality of care and not on access of care. It is based strictly on costs, and to squeeze more money out for the Affordable Care Act, that's why our seniors need to get involved in helping us get the Affordable Care Act,

or the so-called ObamaCare plan, overturned because they are interlocked, and the money will come out of Medicare.

So we have a bureau up here, a board that says you've spent this much money, and if you spend more, then it's going to come out of the providers. That's hospitals, doctors and other health care providers, meaning that you will decrease access because they won't be able to see their doctor. And when you decrease access, you decrease quality of care, and no one in this country wants it.

Has it been done anywhere else in the world? Absolutely. It's done in England right now. And we can go on with the horror stories of rationing of care, because that is ultimately what happens. And who gets rationed? Is it based on a certain age? Is it based on a certain disease?

I don't think any physician in the world, I know morally I can't, and ethically I can't do that. If a patient comes in, we have that conversation with the family, we put out a treatment plan, and we execute that plan.

Now, how do we save it? I know we're going to talk about that in a little bit, but I want to point this out since I am on Medicare.

I got on Medicare last year. The day before I turned 65 years of age I had a health care plan. And in this health care plan was a hospitalization. It had a drug benefit; it also had the ability for me to go see my doctor. So it was a health care plan.

Medicare has part A, part B, part C, part D. The only reason it's chopped up in parts like that is because politicians put it together, not an access, not a way to see your doctor.

What I think should happen to you when you're 65 is you should have a health care plan. It has prescription drug benefits, hospitalization, doctor benefits, and testing benefits like any other.

And so what will we do, and how do we plan on doing this? It's not hard at all. The premium support that we're talking about is, just act like the Federal Government, the day before, when your business, your employer paid that part of the premium, the Federal Government will pay that premium, and the other part will be paid by you, as an individual. And higher-income seniors like us right here are going to get a bigger piece of that. And lower-income seniors are going to have a small piece to pay.

Or if you want to stay on traditional Medicare, you're allowed to stay on traditional Medicare. In doing this, we can save this very vital program for our seniors. And I'm willing to sit down, as anybody in this caucus is, to talk to our seniors about how we're going to help save this.

I want to thank you, Dr. FLEMING, tonight for holding this Special Order, and my colleagues for coming down here.

Mr. FLEMING. I thank the gentleman, Dr. ROE, for his very insightful

comments. And we're beginning to pull the cover back on what some of the solutions are.

I will point out this evening that, you know, it's interesting the way physicians are trained. We're trained to be problem solvers. We're trained to look for solutions. And sometimes it's like mixing oil and water up here in Washington because there are a lot of people who've been up here a long time who don't think in terms of solutions.

So we're committed, all of us, our physician colleagues and nurses, psychologists, dentists, to continue to apply the pressure to move forward in solving problems for the American people.

I'd now like to yield to another physician from Louisiana. He's actually a hepatologist. And I know that some who may be hearing me speak right now may not know what that is. It's basically a specialist, a physician specialist in liver disease, and also a gastroenterologist as well.

With that, I will recognize the gentleman from Louisiana, **BILL CASSIDY**.

**Mr. CASSIDY.** Thank you, **Dr. FLEMING**. I always tell people hepatologist—no, I don't do snakes. I do liver disease. We have to make that correction.

I just want to kind of pick up where **Dr. ROE** left off. A lot of folks say, heck, how did we end up with Medicare going bankrupt when they've paid into it their whole life? Well, if you work backwards, it began, if you will, or maybe the most recent insult, was the fact that the President's health care plan, the Affordable Care Act, took \$500 billion from Medicare. Instead of putting it back into Medicare to support the program, it used it to create their new entitlement.

□ 1930

Now, that's important because as the graph you had earlier showed, at our current rate of going forward, by 2030, I think it is, **Dr. FLEMING**, you have it right there, roughly 2040, 2045, Social Security, Medicaid, and Medicare will take up the entirety of our Federal budget. Whatever tax dollars we receive by 2045 will be entirely consumed by those three entitlement programs.

Do you have that graph where there is the debt on there as well?

**Mr. FLEMING.** This is the only graph I have.

**Mr. CASSIDY.** So by 2030, I think it is, if nothing changes, Social Security, Medicaid, Medicare, and the national debt will consume 100 percent of our tax revenue. Clearly, we have to preserve this important program.

The other thing I'd like to point out to people is, in 1964, when Medicare was conceived, people were having, on average, four kids per family. So the folks that came up with Medicare said, Well, people are having four kids per family now, most likely they'll continue to have four kids per family going forward. Let's make this a pay-as-you-go. There will always be four people paying for the two people ahead of them. It turns out families have shrunk.

Now I'd point out in most crowds, most people have more brothers and sisters than they do children. Families have decreased in size. Instead of on average four kids per family, now there's about 2.5. That demographic shift has made all of the difference. Instead of a pay-as-you-go program where there is always as much money coming in as we needed to pay out, what has happened is families have shrunk, you have a large number of baby boomers, and then their parents, and beneath it, you have kind of a tree, if you will, where it goes straight down. Instead of the pyramid originally thought that would occur, we now have something that looks like that and then goes straight down.

There is no longer this broader base of people paying in.

We're not the first to recognize this. **John Breaux**, the former Democratic Senator from Louisiana, was appointed by President Bill Clinton to say, Listen, the demographics are changing. How do we preserve Medicare? It was actually **John Breaux**, a Democrat, who first came up with the premium support model.

Now, we speak of it sometimes as a Republican plan. No. It was originally a Democratic plan, and it was a bipartisan commission. It came up with this premium support model as a thing that would save Medicare. As it turns out, President Clinton became distracted with the Monica Lewinsky affair, if you will, and it kind of got pushed to the wayside.

This same **Breaux** carry model conceived of in the nineties is the basis for what is now the bipartisan **Wyden-Ryan** plan.

Now, although **Dr. ROE** spoke of it earlier, it's worth going back over. If you're 55 and above, nothing changes from the Medicare program you've always known. If you're 55 and above, if you're already on Medicare because you're disabled, nothing changes. If you're 54 and below, like I am, the program changes to premium support.

Now, in the premium support model, it works kind of like Medicare Part D. I find the program that best fits my need. I choose the program that I want. If I'm very wealthy, I pay a little bit more. If I am poor, I pay nothing at all. But if I'm middle class, I pick the program I like. If it's a frugal program, then I pay less out of pocket. If it's a bells and whistles program, I may pay a little bit more out of pocket—much like the Medicare Part D program that seniors now get their drug benefit from. By the way, a Medicare Part D program that has an 80 percent approval among seniors.

**Mr. FLEMING.** If the gentleman will yield.

**Mr. CASSIDY.** I yield to the gentleman.

**Mr. FLEMING.** By Medicare Part D, you're referring to the drug program, which is the last piece that was added where there was a lot of debate about top-down, government commanded

pricing or a market-based system. They ended with a market-based system, and that reduced the cost by 40 percent.

**Mr. CASSIDY.** If I may reclaim my time, because of market forces, not only is Medicare Part D incredibly popular among seniors, but its costs are 40 percent cheaper than originally conceived. That is the power of giving the patient the ability to go from plan to plan. If she doesn't like that plan, next year she chooses another, and the bad plan goes out of business if enough seniors do that. That's the same concept behind Medicare Part D.

We have other colleagues to speak. I'll add one more thing. I'm always struck when our Democratic friends say they want the American people to have the same type of plan that Members of Congress do. The premium support model is the same type of plan you and I have. We pick among an array of programs. We pick the one that works best for us that matches our pocket-book.

If we're poor, we pay nothing at all. If we're rich, we pay a little bit more. But most of us in Congress are in this middle range, we get the plan that most fits our needs. That is the **Wyden-Ryan** plan totally. We actually give the American people the same sort of deal that Members of Congress get.

So that said, thank you for allowing me to join you, **Dr. FLEMING**.

**Mr. FLEMING.** Just to reiterate, we in Congress, despite what a lot of people think, we don't have any kind of special health care plan. We have the same plan as all other Federal workers, and that is simply to go on a Web site or in a booklet and choose from hundreds of excellent health plans that are competing with each other for our business. We pay part of the premium; our employer, the Federal Government, pays the other part, and that is precisely what we want for everyone in America to have.

But in order to do that, you've got to take down the walls from one State to another, the State borders, when it comes to insurance. You've got to make sure that all of these providers of services—doctors, hospitals, insurance companies—are competing with each other, driving up the quality and driving down the cost.

With that, I would like to recognize one of our freshman members who's really come on fast, again another physician, a family physician, **Mr. DESJARLAIS** from the State of Tennessee.

**Mr. DESJARLAIS.** I thank my colleague. I'll be brief tonight.

I just wanted to point out the fact that I'm proud to stand here with my physician, nursing, dental colleagues, all of the members of the Doctors Caucus, because I can say I think for all of us that none of us chose Congress as our career path in life. Our first passion in life was to help people.

We know that we have a problem facing us. Nobody can deny on either side

of the aisle that Medicare is going broke. As Dr. ROE said, we can't afford to wait to solve this problem. It's there. It's not a partisan issue. It's a people issue. It's about my parents and your parents and our grandparents. We just can't afford to let partisan bickering get in the way of solving this problem.

So what I guess I would ask people to do if you're a Member of AARP, if you've not contacted your Congressman or your representative or your senator, pick up the phone and make sure you know where they stand because they can't answer you that Medicare is not going broke in the next 10 years. We've offered up a lot of solutions to try to stave this off. But we want to make sure that we help you save Medicare, and we're going to do all we can from our end, but we can only do so much.

So if you're a Member of AARP, call AARP, tell them to get on board. The GOP Doctors Caucus will help lead the way. I can say that all of us in this caucus, as we treated patients over the years, we never looked at them as Democrats or Republicans. We just looked at them as patients and people. That's what we're here to do tonight. We're here to help save Medicare, but we need your help, so pick up the phone tomorrow, call your Member of Congress, and make sure you know where they stand, and they need to get on board, and they can't deny that this problem is coming.

Mr. FLEMING. I thank the gentleman.

Did you hear that? Did you hear what the gentleman said? The gentleman said that he's never treated a patient that was either a Republican or a Democrat. It doesn't matter to us who we're providing care to.

We've got three wonderful nurses here, and we all appreciate what nurses do. Often times, the nurse is the first health care worker you encounter when you open your eyes after whatever has happened to you. So we appreciate our angels so much.

But again, we providers, we don't care, we don't ask whether you're a Democrat or a Republican. All we care about is that you have a need.

I would now like to recognize Congresswoman ANN MARIE BUERKLE from the great State of New York. We're actually moving above the Mason-Dixon line this evening, and we're talking to folks from New York.

Ms. BUERKLE. I thank my colleague. I feel a little bit out of my element. We've only dealt with Tennessee and Louisiana. So it's good to be here, and I appreciate the opportunity to stand here with my colleagues.

I think it's so important that the Doctors Caucus have this conversation with the American people because we stand here tonight not as politicians but as people who care deeply about the health care profession and about patients getting the kind of care they need.

So I hope that when we speak to the American people, and particularly our seniors, because tonight we're talking about saving Medicare, that they look at us as people who are deeply committed to making sure that they have the health care and the Medicare benefits that they deserve because they've paid into it.

□ 1940

I guess briefly, because we have so many other colleagues here, I'd like to make just a couple of points to the American people.

Number one, unfortunately, because of the current health care law, Medicare has been changed. When we talk about saving Medicare, it really means restoring it to what the American people know Medicare is, especially our seniors. I am so saddened when I see some of the senior groups like AARP. In fact, I've got a whole box of letters from people who belong to AARP, saying, Don't cut Medicare.

I want to assure the American people and say to them that we are not cutting Medicare. For those who are 55 years and older and, as was mentioned earlier, for those who are on disability and getting SSI, their plans don't change. They remain the same. For those who are 54 and younger, we're talking about a premium support. The reason we're talking about that is, if we don't, there will be no Medicare for anyone.

So we are intent on saving Medicare. We want to make sure that our seniors have what they deserve and what they've paid into all of their lives, which is good Medicare coverage. I'm not only a nurse; I'm also the daughter of a 90-year-old mother. She and I know very well how important Medicare is, so we have no desire to change Medicare as the seniors know it now. We're talking about making a change for those who are 54 years and younger.

The sad part about this is that the health care law has changed Medicare, and now our seniors will have to be dealing with IPAB, and they'll have to be dealing with cuts in their Medicare services. We implore them, as my colleagues have said, to reach out to their senior groups and to say, Wait a minute. The real threat to our Medicare is the health care law, and that's what needs to be changed.

Just before I end, I would say to all the American people that we are committed here in the Congress and on this side of the aisle in making sure that you get the Medicare services you've paid into all of your lives and that you so richly deserve and count on. We in the health care profession stand together, and we want to make that pledge to our seniors, not only to them but to all the American people.

Mr. FLEMING. I thank the gentlelady from New York.

I would now like to yield to another gentlelady, to a person with whom I've become good friends, who is also from New York State. She is a person who

has a vision for America. Not only that, she is someone who has been taking care of the vision of other people as well. She is an ophthalmologist, and she has come to Washington to apply her vision to what she feels—and we agree with her—the future of health care should be like as well as many other things in life.

With that, I yield to the gentlelady from New York, NAN HAYWORTH.

Ms. HAYWORTH. I thank the gentleman so much for holding this Special Order session, which is so important.

One thing, the comments by my distinguished colleagues have been perceptive and enlightening and moving. There is one aspect I might be able to add, although they have said so much.

I would like to invite our seniors and those who love them and who may accompany them in the course of their care, as I have had the privilege of doing for my own parents, both of whom have relied on Medicare for many years, to talk with their doctors about what it means when Medicare changes the way it deals with the doctors' practices and what it will mean for our seniors in their having the ability to be cared for by the doctors they prefer and in the places where they are comfortable and that are familiar and that they like and trust as well as what may happen if Medicare loses the funds that now exist in the trust fund, which are running out very, very rapidly.

I think it's important for patients and doctors throughout the United States to have that conversation and for our doctors to hear their patients' perspectives and for patients to hear from their doctors how tough it may be for a lot of doctors' practices to keep their doors open if Medicare loses the funds that it needs and if that's accelerated through the Affordable Care Act, which does, as we've mentioned many times but is so important to say, take an enormous piece of crucial funding away from Medicare. We can't afford that. A half a trillion dollars is an enormous amount of money. So there are lots of threats looming on the horizon for our doctors' practices.

I had the privilege of practicing ophthalmology in Mount Kisco, New York, for 16 years. I took care of Medicare patients and I cherished them. It was a privilege, as you mentioned, Dr. FLEMING, to care for those patients, so many of whom have done so much for our country and for our communities. Yet I can attest to the fact that it can be very difficult to keep your doors open when Medicare keeps ratcheting down what it will pay for certain services even in the face of the fact that doctors have rent to pay and staff to pay and that they have insurance, including malpractice insurance, which can be very expensive in a State like my own home State of New York.

It can become very, very difficult to balance all of those things, and that's why it's so important to make sure that Medicare has the funds it needs

and that we protect Medicare for the future in the way that we handle its premium structure. Premium support will be a great help to us, but those are the things that we need to hear about from our patients and our doctors. So I would like to urge everybody to talk with your doctors, to find out the stories, to find out what they want to tell you so that the patients and doctors can take that message home to their Members of Congress, to their Senators and to the President.

I thank you, Dr. FLEMING, for all you're doing to support a wonderful cause.

Mr. FLEMING. I thank the gentleman from New York, NAN HAYWORTH, for all of her contributions both here in Washington and certainly back home.

We've saved the best for last here. We have Dr. BENISHEK, the gentleman from Michigan, who actually managed the time for our last Special Order and did a great job. As I understand it, he is a wonderful surgeon.

So I would like to yield to the gentleman in the last few minutes that we have tonight.

Mr. BENISHEK. Thank you, Dr. FLEMING. I appreciate the opportunity to be here tonight to express my feelings about our cause to save Medicare.

I've been taking care of patients in northern Michigan, in a rural setting, for the last 30 years. It certainly means a lot to my patients to have Medicare there to help them get through their medical problems in their elder years. I am kind of surprised that I've been castigated for voting to end Medicare when, really, I voted to try to save Medicare because of the crisis that's coming forward due to the demographics of our country and the pending bankruptcy of the Medicare trust fund. As I see it, there are really four reasons that Medicare is in trouble.

Number one, there is an increasing number of patients on Medicare every year. There are 10,000 patients a day who are added to Medicare. There are approximately 50 million people today who receive Medicare. In 20 years, I think that number will be 80 million people. That's one reason.

The second reason is that there are a little over three persons paying into Medicare for every person receiving that benefit today; but in 20 years, there will be a little over two people paying. Not only are there going to be 30 percent more people, but there are going to be a third fewer people paying in.

The third problem, of course, is just the general rising costs of medicine. This is an issue where, in our plan to save Medicare, which is a premium support plan in which there are options in your insurance, I think it will help keep those costs down.

Of course, the fourth problem is the Affordable Care Act. The Medicare that people are familiar with today, that the seniors of today have, will not be the same Medicare going forward because the Affordable Care Act has

taken \$575 billion away from Medicare. That's over \$100 billion from hospitals; I think it's like \$40 billion from home health care, \$30 billion from hospice care, and over \$100 billion from Medicare Advantage.

□ 1950

Well, I know in my rural district, we have many small community hospitals that depend on their Medicare payments; and \$100 billion taken from each of those small hospitals—you know, those hospitals operate on a razor-thin profit margin. If we take that money away from the small hospital in my district, they may not be there tomorrow. So how would my senior population come see me? They wouldn't be able to come to their local hospital. They may have to go to Green Bay or Marquette or, you know, drive hundreds of miles to get evaluated in an emergency room, for example.

The way things are now is just not sustainable, especially with the Affordable Care Act's impact on Medicare. And to think that if we do nothing, everything will be okay is just wrong.

We've put forward this plan about premium support where you have a choice. It is similar to Medicare Advantage, where in Michigan there are 20 or 30 different plans you can choose from, the one that suits you the best. I think that's a reasonable option. There may be another plan out there somewhere that's equally as good. I haven't seen that. But I'm certainly willing to listen to a plan of how to fix it.

Doing nothing is unacceptable, and I just think that it's just wrong to castigate those of us who are trying to find an answer that will fit most people and be affordable and, like many of the advantages that people have talked to previously this evening, you know, different people's situations. But to do nothing, though, to put your head in the sand like an ostrich and pretend there's no problem is not an option.

So like the speakers before me, I encourage people to speak to their physicians about what the situation is. I'm going around my district in the next several months and am putting together a little Medicare meet-and-greet at the senior citizens' centers at various locales in my district to try to explain this to patients because they don't really seem to have an idea—I said patients; I guess I mean constituents. I was speaking in doctor terms—but they don't have an idea how serious the problem is. And I think part of our problem is getting that message out to other people that this is not something we can ignore, that this is not something that's just going to go away by not dealing with it. And it's certainly not going to go away by castigating people that are trying to find an answer.

So I encourage those people, as NAN mentioned, to speak to their physician. Feel free to call my office to get further information, but realize that we're trying to fix a problem, not ignore a problem.

With that, I thank the gentleman for yielding.

Mr. FLEMING. I thank the gentleman from Michigan, the physician.

In the closing moments here, what have we learned? We've learned that we have a Medicare system that's highly bureaucratic, highly expensive and, as the graph showed, is going to be insolvent as early as 2016. That's 4 years away. And we desperately need a solution to that. We've got this side of the aisle which has already come up with a solution, a premium support plan that basically offers to Americans the same opportunity we, in Congress, have, an excellent health care plan. And then we have got this side of the aisle, Democrats, who absolutely have come up with no solution. As the gentleman says, they bury their heads in the sand and offer nothing.

I would submit to you, Mr. Speaker, that we can't continue going this way. We have got to move forward. We've got to find solutions by, again, putting health care providers in the arena, having them compete with each other, always doing that. If it's a level playing field—and that's our responsibility in government—the quality of care goes up while the cost goes down.

I want to thank my colleagues here tonight. We have had a great discussion, and I look forward to doing this again very soon.

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

#### MEDICARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from New Jersey (Mr. PALLONE) is recognized for 30 minutes.

Mr. PALLONE. Mr. Speaker, I wasn't planning on coming to the floor this evening; but when I heard my Republican colleagues' Special Order that was just completed, I couldn't help but come down because I think I have to correct the record on many of the statements that they made this evening about Medicare and their efforts with regard to Medicare.

First of all, I have to point out that when Medicare was first adopted in the House and in the Senate back in the sixties when President Johnson was in office, the Republicans overwhelmingly opposed it. They were opposed to Medicare. They voted against it. It would never have passed if it was for their votes. It only passed as a Democratic initiative. And over the years, Democrats have been the ones to protect Medicare.

Republicans have consistently opposed Medicare, tried to repeal it, tried to privatize it, voucherize it. And basically as a Republican Speaker once said—I was here at the time when Newt Gingrich became the Speaker back in the mid-nineties—he said that we want Medicare to wither on the vine. And that's basically what the Republican leadership has been doing consistently

in the 20-something years that I have been in Congress.

Certainly, if you look at the budget that was adopted by the Republicans last year, it does exactly that. The Republican budget would end the Medicare guarantee, replacing it with a voucher in 2022. And what that essentially means is that right now and under the Medicare program, when you get to be 65, you immediately become eligible for Medicare, which is a government program; and you are guaranteed that you have your health insurance through the government, through Medicare.

But if you establish a voucher, which is what the Republicans tried to do in their budget last year—fortunately, they didn't succeed—they would simply give you a voucher or a set amount of money for you to go out into the private sector and try to buy health insurance for that amount. And of course the amount that would be available wouldn't keep up with inflation. So even if you were able to buy health insurance when you were over 65 as a senior—which many people would not be able to—eventually you would not be able to; and you would simply have to pay more and more money out of pocket in order to buy the health insurance. In fact, we estimate that the Republican budget would double out-of-pocket costs by 2022 and cost an additional \$6,000 for each senior, and out-of-pocket costs would triple by 2030.

So what I want my constituents and everyone to understand is, the reason that Democrats started Medicare in the sixties under President Johnson was because people over 65 were not able to get health insurance privately. They weren't able to go out and buy health insurance because, basically, insurers didn't want to cover seniors. They had too many disabilities, too many times that they had to go to the hospital or see the doctor. So it was impossible to get health insurance if you were over 65.

And I would maintain that if you let the Republicans move forward with their voucher proposal, which they still talk about constantly—the chairman of the Budget Committee, Mr. RYAN, keeps talking about it—the same thing would happen again. Seniors simply wouldn't be able to buy health insurance with a voucher or without one. The cost of it would get so prohibitive. And the consequence is that Medicare would disappear, both as a guaranteed health insurance plan for seniors, and many seniors would simply not have health insurance at all.

The other thing that my colleagues tried to suggest tonight is that Medicare was going broke. They tried to convince you that Medicare is going broke. But if you believe that, then that sets the stage for the fact that you should either get rid of Medicare or voucherize Medicare because the notion is that somehow the government isn't going to continue with the program or can't afford the program; and,

therefore, we need to change it drastically. I would maintain that's simply not true.

□ 2000

Actually, right now there are 40 million seniors and 8 million people with disabilities below age 65 who have Medicare. Medicare is efficient, per capita spending at nearly half the per capita increase for comparable benefits provided by private insurers. And the fact of the matter is that the Medicare trust fund could certainly use some more money, but the way to deal with that is essentially to solve the economic crisis. In other words, as more people are employed, as unemployment goes down and the economy grows and more people pay into the Medicare trust fund, the Medicare trust fund would be just fine. The same thing goes for Social Security.

The problem with the trust funds, whether it be Medicare or Social Security, is that in a slow economy, in a recession, less and less people who are working pay into the trust funds. So the answer is not to get rid of the trust funds and not allow people to have a pension, which Social Security provides, or allow people to have Medicare and health insurance when they're over 65, but, rather, to grow the economy, reduce the unemployment, have more people pay into the trust funds, and they become financially solvent for a long time in the future. And that's what the Democrats have proposed.

Our answer to the Medicare program is to try to put more money into the trust fund, grow the economy, and keep Medicare as a Federal guarantee, as a Federal program that's guaranteed to all seniors.

Now, I also heard my Republican colleagues tonight talk about how the Affordable Care Act, that's the health care reform—some people call it ObamaCare—the health care reform, the Affordable Care Act, that somehow that was going to destroy Medicare. Nothing could be further from the truth.

The reality is that the Affordable Care Act strengthens Medicare. The only cuts in the Affordable Care Act are to providers. There are no cuts to beneficiaries. In fact, programs for beneficiaries and benefits for senior citizens are actually expanded under the Affordable Care Act, and many seniors have already seen that.

First of all, the hallmark of the Affordable Care Act, the health care reform, is prevention. And so what the Affordable Care Act says is that if you have some kind of health care, whether it's a mammogram or some kind of diagnostic test, you don't pay a copay. All prevention methods under the Affordable Care Act are provided without a copay. That's mammogram, testing for prostate cancer, any kind of diagnostic test or any kind of prevention program. And the reason for that is because we don't want people to go to the hospital. We don't want people to get

sick. We want them to be diagnosed at an early stage. And so we know that if people have to pay a copay, a lot of times they won't have the test done. So that's number one.

The other major benefit expansion under the Affordable Care Act or the health care reform is with regard to part D and prescription drug benefits. Many seniors know that when the Republicans passed Medicare part D, they left a huge, what we call, hole or doughnut hole so that when you pay out of pocket up to a certain amount, in other words, when you incur Medicare expenses up to a certain amount in the course of the year, it was \$2,000, now \$2,500, whatever the figure is, then everything that you incur beyond that is not covered, and then you have to go to a catastrophic level, something above \$5,000, to get your coverage again.

So many senior citizens, when they start the year, are getting their prescription drugs, but by August, September, or October, sometimes even earlier, they reached that threshold or doughnut hole and their Medicare prescription drugs were not covered under the original Medicare part D proposal.

So what the Democrats did in the Affordable Care Act, what the President did in the Affordable Care Act, or ObamaCare, if you will, was to gradually fill in that doughnut hole over the life of the program. So the first year, there was a \$250 rebate, and then prescription drugs in the doughnut hole were discounted 50 percent. And gradually, over the next few years, that doughnut hole will disappear so your prescription drugs will be completely covered and you won't have the doughnut hole.

Again, these are benefit expansions under the Affordable Care Act. So when the suggestion is made by the Republicans that somehow the Affordable Care Act is going to hurt or destroy Medicare, nothing could be further from the truth. The fact of the matter is that the Affordable Care Act strengthens Medicare, strengthens the benefit, expands benefits, whether it be for prescription drugs or diagnostic testing or prevention. It also provides a free wellness test every year where there is no copay. It actually pays money back into the trust fund.

So the life of the Medicare program, if you go along with what the Democrats are proposing, whether it is their proposals to improve the economy, grow the economy, would actually shore up the Medicare program, contrary to what some of my colleagues said here tonight.

You know, they mentioned different organizations. There was a group of doctors, they mentioned AARP. Most of the organizations, and I didn't listen to the whole hour, but most of the organizations that they mentioned, the American Medical Society, specialty doctor groups, the AARP, these are the groups that supported the Affordable Care Act, that supported the health

care reform, because they knew that it was strengthening Medicare and making Medicare more viable for the future and expanding benefits for seniors and the disabled that are covered by Medicare.

This is part of the historic nature of the Democrats and Medicare. We started Medicare. We strengthened Medicare. We have done everything we can to make Medicare more secure as a guaranteed Federal program. Republicans opposed Medicare from the beginning, continue to try to either repeal it, or, in the words of Speaker Gingrich, make it wither on the vine. And now in the latest proposal, the Republican budget here in the House of Representatives, my very Republican colleagues that spoke tonight all voted for the Republican budget that would essentially get rid of Medicare, make it into a voucher, not provide the Federal guarantee, and make it so the seniors were essentially thrown out with a voucher or a certain amount of money and had to go out and buy private health insurance, which they'll never find.

So I had to come to the floor tonight, Mr. Speaker, and really tell the truth about the parties and where they stand on Medicare. The fact of the matter is that the Democrats started the Medicare program and continue to make it viable.

I yield back the balance of my time.

#### IN RECOGNITION OF BLACK HISTORY MONTH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Florida (Mr. WEST) is recognized for 30 minutes.

Mr. WEST. Mr. Speaker, in commemoration of Black History Month, I rise to acknowledge the Republican Party's proud and storied history of standing up for the rights of African Americans.

The first black Members of Congress served during Reconstruction, and they were all Republicans. They won their seats, despite fierce threats of violence against black voters by groups like the Ku Klux Klan, and were successful only as a result of the firm support they received from the Republican Party.

One of these Members was Josiah T. Walls, a slave who earned his freedom through service to the Union in the Civil War. He settled in Alachua County, in our sunny State of Florida, and was repeatedly elected to Congress at-large.

In some ways, Mr. Speaker, I carry the torch of Josiah Walls. You see, in 1876, the Democrats contested his election and had him replaced midterm with one of their own. No black Republican would again be elected from Florida to this House until November 2, 2010, when the voters of that State entrusted me to be their Representative.

On my desk in my office, there is a book called "Capitol Men," and it is a

biography of those first black Members of Congress. I stand where Josiah Walls and the other early black Republican Members of Congress once stood—Hiram Revels of Mississippi; Benjamin Turner of Alabama; Jefferson Long of Georgia; Robert DeLarge, Robert Brown Elliott, and Joseph Rainey, all of South Carolina. They were the ones who carried that first torch for my colleague, TIM SCOTT.

□ 2010

They would have stood here urging support for policies of equal opportunity for all. Mr. Speaker, I stand here this evening to recognize their legacy.

The Republican Party has always been the party of freedom. Today, we understand that our principles are best served when we act as stalwart advocates of free markets. But historically, Republicans understood that the value of every human life is diminished when any human life is made to work against its will.

Free markets are characterized by the free exchange of goods and services—and by the free exchange of labor for compensation. You see, Mr. Speaker, without free people, there can be no free markets.

Where men are not free, freedom does not reign. And so the Republicans have always been the party of free men, of individual freedom. It was President Abraham Lincoln, the father of the Grand Old Party, who signed the Emancipation Proclamation and brought about the freeing of the slaves. For many, this is the beginning and the end of the Republican Party's role in advancing equal rights. But that understanding misses the myriad ways our party went on to better the lives of Black Americans and cheapens the many contributions that later generations of Republicans made to the cause of freedom.

It was, in fact, Republicans of their day who worked to pass the 13th, the 14th, and the 15th Amendments, securing for African Americans deliverance from slavery, equal protection under the law, and the right to vote.

Each of these accomplishments did its part to cement the fundamental freedoms all Americans enjoy today. None of them could have gotten off the ground without GOP support. Take the 13th amendment, for example. At Abraham Lincoln's request, the Republican National Committee Chairman Edwin Morgan made abolishing slavery an official part of the party's platform in 1864. At that year's national convention, he opened with a statement on the topic. He said:

The party of which you, gentlemen, are the delegated and honored representatives, will fall far short of accomplishing its great mission unless among its other resolves it shall declare for such an amendment of the Constitution as will positively prohibit African slavery in the United States.

The 14th Amendment was no different. A little known fact about that

law that granted Black Americans citizenship, with all the rights and privileges thereof, is that every vote in favor was cast by a Republican and every vote against was cast by a Democrat.

In 1968, when the Democrat-controlled legislature of New Jersey voted to rescind its ratification of the 14th Amendment, it was the State's Republican Governor who vetoed that attempt.

Mr. Speaker, it was the Republican-controlled 39th Congress that established the Buffalo Soldiers, a fighting force of six regiments of Black American troops. They would soon become known for exhibiting the "courage of a cornered buffalo" in battle while posted to the frontier. In peacetime, they gained renown for being the finest horsemen the Army had to offer. And in 1907, the 10th Cavalry Regiment of Buffalo Soldiers was sent to the United States Military Academy at West Point to teach the cadets riding skills and mounted drill.

Mr. Speaker, think about that for a second: the commanders of their day were so confident in the ability of the Buffalo Soldiers that they entrusted them with the training of the next generation of Army leaders. And it was the Republicans who made that happen.

It was the Republicans who passed the 15th Amendment, as well. For once, the story is true that not every Republican supported it. A few abstained, saying the measure did not go far enough. It was the Democrats who voted against the 15th Amendment, and when it passed anyway, it was the Democrats who resorted to the use of poll taxes, literacy tests, intimidation and other pernicious practices in an effort to keep Black Americans from exercising their right to vote. This was something that my grandparents and my parents experienced growing up in south Georgia.

It was a Republican by the name of Senator Charles Sumner who got the equal rights movement on its feet. A fierce abolitionist and leader of the "Radical Republicans"—sounds very familiar when they start talking about Tea Party Republicans—Senator Sumner wrote and shepherded the first ever civil rights bill through Congress. It was a Republican President, the great General Ulysses S. Grant, who signed it into law the same day that it passed. And that comprehensive bill, the Civil Rights Act of 1875, would become the blueprint for every subsequent piece of civil rights legislation to come before Congress despite the fact that it was struck down by a backward-looking court.

It was the Republicans who first called for racial justice in the Armed Forces, not only allowing Black Americans to serve their country, but welcoming them to serve their country alongside their white brothers.

It was a Republican judge named Elbert Tuttle who time and again ruled in favor of civil rights and who went on

to order the University of Mississippi to admit its first ever Black college student. It was a Republican Supreme Court Justice who authored the decision in *Brown v. Board of Education* that recognized racial segregation for what it was: a violation of the United States Constitution.

And when a school district in Arkansas refused to integrate, it was a Republican President, Dwight David Eisenhower, who sent in the 101st Airborne Division to escort the Little Rock Nine to class. However, it was a Democrat Governor in Orval Faubus, you may recall, who had tried to use his National Guardsmen to prevent them from enrolling.

Mr. Speaker, Republicans were unfazed by the many Democrats, including John F. Kennedy and Lyndon Johnson, who criticized President Eisenhower's decision. Meanwhile, it was the Democrats in the Senate who filibustered the first civil rights act of the 20th century and the Republicans who managed to pass it nonetheless.

The law established a Civil Rights Division within the Justice Department and authorized the Attorney General to request injunctions against anyone attempting to deny a person's right to vote. It was written at the behest of President Eisenhower after a long drought of civil rights bills under Presidents Franklin Delano Roosevelt and President Harry Truman.

It was a Senate minority leader, Everett Dirksen, a Republican, who helped write the first Civil Rights Act of 1964, widely regarded as the most influential of them all. And in recent years, it's been the Republican Party that has fought to prevent African Americans from being trapped in a permanent underclass through dependence on government handouts.

In the 1990s, it was the Republican-controlled 104th Congress that passed the Personal Responsibility and Work Opportunity Act. Then-Democrat President Bill Clinton signed it only after reluctantly having vetoed it twice.

This reform changed the face of welfare, ensuring that recipients who were able to work would be required to seek employment. No longer would government checks be seen as an entitlement. No longer would States have a financial incentive to add as many names to their welfare rolls as possible. Finally, there was an alternative to the cycle of poverty caused by years of misguided Democrat policy. And it's been Republicans who have continued to fight for the underprivileged communities, even as we're painted as the party of the white upper class.

In 2004, another Republican-controlled Congress under the leadership of Republican President George W. Bush signed an omnibus bill that included a voucher program for school children right here in the District of Columbia. Instead of being shackled to the failed public school system, thousands of students were able to use the

first Federal Government vouchers to escape high-performing private schools.

□ 2020

Mr. Speaker, what Republicans have long understood is that poor communities are best served when they're empowered to care for themselves. The more they come to rely on government checks, the less they learn to rely on their own ability and ingenuity.

Our party firmly believes in the safety net. We reject the idea of the safety net becoming a hammock. For this reason, the Republican value of minimizing government dependence is particularly beneficial to the poorest among us. Conversely, the Democratic appetite for ever-increasing redistributionary handouts is in fact the most insidious form of slavery remaining in the world today and does not promote economic freedom.

Time after time, the GOP has stood strong as leaders on issues of conscience. Even when the positions we've taken have been unpopular, we've held the line and ultimately brought about liberty and justice for all. From eliminating slavery, to securing full citizenship and voting rights for African Americans, to calling for desegregation even in the most hostile bastions of the Deep South, to implementing school choice in poor communities, to helping black families break out of the cycle of welfare dependence, Mr. Speaker, Republicans have been on the front lines of the fight for equal rights and individual manifest destiny since our party's founding under Lincoln.

So, too, has the party led on issues like reducing the size of government, streamlining the Federal bureaucracy, and returning power to the States. These positions didn't always garner the most popular support at the time. It's easier to convince a person that a government should be doing something for them it currently isn't than to convince a person the government shouldn't be doing something for them it currently is.

But real visionary leaders don't retreat from fights. It is said that one evening, as George Washington sat at his table after dinner, the fire behind him flared up, leading him to move his chair away so as not to end up getting burned. When someone called George Washington out, saying a general ought to be able to stand the fire, he responded that no general should ever be taking fire from behind.

That is the essence of integrity and conviction—the willingness to stand for what you believe at all times, alone if need be, without the option of retreat, no matter how tough the slog ahead may be, and to do so with the faith that eventually it is possible to transform a losing fight into a winning one.

For inspiration, we need only to look to the former slave and Republican, Frederick Douglass. Having found his way to freedom through education and

hard work, he could have been forgiven for retiring from the public eye, but he didn't back down from the work still to be done. Instead, he made himself one of the most stalwart champions of not just the antislavery movement, but the women's rights movement as well. He wasn't content to lend his political capital to causes that would benefit him. He knew what we know, that injustice anywhere is an affront to the human spirit.

To free African Americans from the bonds of slavery was only the first step for Frederick Douglass, and he would not be satisfied until he helped liberate women from the bonds of misogyny as well. In those days, Douglass could count on the Republican Party to be his ally in the fight. Today, we remain no less dedicated to the cause of freedom.

So therefore, Mr. Speaker, with a core belief in the supremacy and the sovereignty of the individual and the unconditional dignity of every human life, the Republican Party is, always has been, and forever shall be the party of equality of opportunity.

Happy Black History Month.

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

#### HEALTH CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 30 minutes.

Mr. GOHMERT. Mr. Speaker, it is such an honor to serve with such an honorable man as Colonel ALLEN WEST. I've known him for a few years, going back to his previous efforts at election to the House of Representatives. I'm just delighted that he is here. I'm delighted to call him a friend. He has been a fantastic addition here to the House of Representatives.

I would like to address something a Democratic colleague had referenced, and that was with regard to Medicare. My friend was taking issue with what my Republican doctors were addressing here on the floor with regard to Medicare. And it was interesting to hear a Democrat say that actually ObamaCare strengthened Medicare. It's interesting. I guess the definition of "is" means something to some folks. In this case, I guess the definition of "strengthen" would have to be what was at issue here.

The Democrats strengthened Medicare, cut \$500 billion—with a B—out of Medicare, and are proud to report to the American people that they strengthened Medicare. Well, in a bill I didn't agree with, the debt ceiling bill, it's cutting hundreds of billions of dollars from our national security, for our national defense. I guess the same reasoning would say we're cutting hundreds of billions of dollars from our national defense. And under the Democratic strategy and definition, I guess, of "strengthen," could say, under that

logic and that thinking, will strengthen our military and our national defense.

I don't happen to agree with that definition. I don't believe that's what it does; \$500 billion in cuts to Medicare that ObamaCare rammed down America's throat, to my way of thinking, does not strengthen Medicare. It guts it.

Now, an explanation has been that the hundreds of billions of dollars that the Democrats in the House and Senate, when they were in the majority, took from Medicare, we're told, well, that wasn't cuts to the American people. That was only cuts to the health care providers. Well, lest I become too sarcastic, let me just say, when you cut the payments by \$500 billion to those who are going to provide seniors with health care, you didn't cut the money going to seniors, you cut it to the people that the seniors need to provide them care.

If people haven't gotten out from around this town and gone out and talked to doctors across the country, including doctors in what some would deem "flyover country," you find out the doctors say, if and when those cuts occur, we cannot stay in business; we'll have to close our doors.

I've had a number of doctors tell me, Once ObamaCare is fully law, I can't live on that. There's so many pieces of equipment that cost so much. There's so much medication that costs more and more. The government would require me to provide services and not reimburse me enough to pay the people I have to hire, to pay for the equipment I have to purchase and lease, and the medications I have to have in our facilities. Can't stay in business. I've had doctors tell me repeatedly, I had hoped to have more in savings before I retired, but I'm just going to have to do with what I've got there because I can't stay in the practice of medicine once those \$500 billion in cuts are made.

□ 2030

So I guess someone can make the argument that the \$500 billion in cuts to health care providers somehow strengthens Medicare for seniors since it only guts the payments to the health care providers, the doctors, the hospitals.

But I don't think it takes a whole lot of reasoning to understand seniors will find themselves in the position that the lady at the White House did during the President's town hall, when she pointed out, My mother was 95. Her personal doctor said she needs a pacemaker. The cardiologist said, she's too old, but he had never met her. Once he met her, he realized this is a woman that's going to live a lot longer. She does need a pacemaker. So he installed it, and 8 to 10 years later she's still going strong.

And the woman's question to the President was, in deciding who gets treatment and who doesn't, who gets

surgery and who doesn't, will the people making the decisions under your bill consider the quality of a person's life in deciding whether they'll get the surgery, whether they'll get the health care they need, whether my mother would get the pacemaker she needed?

The President, after beating around the bush—it can be found online, both the video and transcript—the President ultimately said, you know, we have to come to the conclusion that maybe we're better off telling your mother she should just take a pain pill. In other words, the woman's mother would be dead, but she would have gotten a pain pill under the President's idea of good health care, under his ObamaCare program.

So that's what happens when you cut \$500 billion to Medicare, as the Democrats did, in ObamaCare. And I know my colleague across the aisle pointed out that the AMA, the AHA, and others, I would add, many leaders of the Catholic Church, encouraged the passage of ObamaCare. And now, so many are finding egg on their faces.

Heck, the big pharmaceutical groups, they supported it. Every one of those groups that signed on was bought off. That's just the way it is. They thought that they were signing on to something that would help them out because they were given some little bit that they wanted in the bill.

Some from those groups told me, gee, we wanted to have a seat at the table. I tried to warn them, you don't want a seat at the table when you're on the menu. When they signed on to agree to ObamaCare, they signed their own group's death warrants because \$500 billion in cuts to health care providers, when you don't even eliminate the fraud and waste and abuse, is going to gut the very people financially that are supposed to provide the care.

So who suffers? Well, the doctors, the health care providers, they retire. They go on and do something else. Who suffers? The seniors do. That's what the \$500 billion in cuts to Medicare under ObamaCare do for Americans.

I had a health care bill. In the CBO's effort to help the President get ObamaCare passed, of course they had scored it originally as being over \$1 trillion; but since the President promised it would cost much less than that, there was a meeting with the Director of CBO at the White House. We don't know what was said, but we understood the President was saying before and after the meeting that it had to be scored to where it was under \$1 trillion. And lo and behold, CBO went back and scored it at \$800 billion, approximately.

ObamaCare passes, and then after it becomes law, CBO re-scores. And guess what? It's over \$1 trillion. So we now know that anything we get from CBO in the way of a scoring has to be considered plus or minus 25 percent accurate. I think we ought to change legislation, get rid of CBO, and find entities competitively who are most accurate at scoring bills who can come closer

than a plus or minus 25 percent accuracy.

But my bill would give seniors a choice and say, if you like your Medicare, and especially now, with all the cuts that are coming to health care, if you like it, great, keep it. But if you would like the best health insurance that money can buy, with a high deductible, \$3,000, \$4,000, \$5,000, whatever we found to be most accommodating, then we would buy that for the seniors, their choice, Medicare or the best private insurance with a high deductible.

Say, for example, if we made it, in my bill it was 3,500, say, 4,000, 5,000 now. That deductible amount would then be provided to the senior's household in a health savings account that they would control with their own debit card so that, for the first time since Medicare came into existence, seniors would get to control their own health care. They wouldn't have to go begging to an insurance company, because insurance companies, health insurance companies have gotten out of the business of health insurance. They're in health management. I don't want them in health management. I want them in health insurance.

Insurance is when you pay a small premium to insure against an insurable event down the road. You don't know what's coming; but in case there's a catastrophic accident or disease, then you're covered.

In the meantime, each year we'd provide that cash in the health savings account that can only be used for health matters. Now, that would put patients back in control because the most effective government, we have found—and yet we have to keep relearning this lesson—comes not when government is the referee and the coach, and a player. It doesn't work well. We have to keep learning that lesson.

People in this body say, oh, well, it'll work out better if government competes with the private sector. No, it doesn't. It works better if we're a referee.

So whether it's the stock market, there are referees. There are officials that watch out for people like Madoff. Instead of being so engaged in details of day-to-day transactions, they're engaged in health insurance as a referee to make sure people are playing fairly with their consumers, with their patients, so that they're not getting jerked around, so that the government can go after those who are defrauding or being unfair in their treatment. That's the government's role. Be a referee.

But when the government becomes a player and a coach and the referee, then everybody suffers. There is no reason we should have to keep relearning that lesson.

Now, I wouldn't mind so much guest-worker permits. We hear from some of the farmers in California and what-not that, gee, we have to have guest workers come in and harvest our crops. But we shouldn't have to have the rest of

the country pay for their health care because they don't have it.

So we ought to have a new requirement for visas. Yeah, we'll give you a visa to come into the country, but you have to show that you're going to have health insurance the entire time you're here.

You want to bring guest workers in to harvest your crops, well, then provide an umbrella health insurance policy for them so that the rest of America doesn't pay for that farmer's, that rancher's employees' health care.

Those are just little things. But one other thing that we need to do to really get health care on track is get competition back in health care.

□ 2040

When a hospital, when a doctor, when a clinic cannot tell you exactly what the cost is unless they know which insurance company you have or if it's Medicare or if it's Medicaid or what, whether it's cash—because if it's cash, the way the system is now, you're going to pay more than the insurance companies pay—well, that's no way to have a competitive system.

When I grew up in my hometown, Mount Pleasant, Texas, my parents sometimes switched doctors. If one doctor went up, well, we knew there were a number of good doctors in town. We went to one that was cheaper because we knew they were good, too.

We don't do that anymore because nobody knows what things cost. Well, that ought to be posted. You ought to be able to find it, published, post it, so people know this one is cheaper. If you have your own debit card with money in that account or a health savings account, then you would be concerned about that. But the government gets so involved that it becomes the problem.

VISAS

I want to address one other area in which the government ought to be the referee, but it's so busy trying to be the coach and the player that the job is not getting done. That is in the area of visas.

Apparently, we have this EB-5 program that, in essence, says if you're a non-American, but if you want to come into the United States and you have a million dollars and you're willing to invest it in the U.S., hey, we'll give you a visa, one of these EB-5 visas. Then you can come into this country, and you can be a legal resident. So you buy your way in.

Well, everybody acknowledges times are tough. Things have not gotten any better than they were when President Obama took office. We're worse off than we were when he took office, debt through the roof. But I can understand. It makes sense. Let's encourage outside investment in America.

Well, it just so happens that the month of February has been quite revealing in this program in that in my hometown of Tyler, Texas, we had a very weary local law enforcement. I know from my days as a district judge

handling felonies, we have some very capable, competent local law enforcement. We have extremely capable State law enforcement in Texas.

A car was pulled over. It had no front license plates. That's required in Texas. Then the officer found that there were some questionable things going on and asked him for permission to search. Permission was granted. \$67,000 in cash was in the car; children in the car; two individuals in the car with another adult driver; shotgun in the car. Strange situation. When they were taken in for their violations, the name was run, the shotgun was run, lo and behold, they hear from the Federal Government. ICE says, We're in charge. These folks are ours. So they take them from Tyler, Texas, detention to Dallas to the detention there.

We just happen to have the mug shots of these folks. These individuals were Hector Hernandez Javier Villarreal. He's the former secretary executive of Tax Administration Service of Coahuila, Mexico, along with his wife, Marie Teresita Botello. Then they also had a driver with them, Oswaldo Coronado. These were their mug shots.

Well, ICE takes over. They take these folks to detention in Dallas. Homeland Security gets alerted. We don't know whether it was the shotgun being run or the people's names being run, but they get involved reporting to the Smith County Sheriff's Office wanting to interrogate these individuals. They were told, well, you'll have to get in line behind ICE. They've just taken them to Dallas about 100 miles up the interstate.

Well, once they were in Dallas, and there was computer material, different things that were obtained after they were arrested in Tyler, obtained by warrant, and they begin to find out a little bit more about them.

This is in the Tyler Morning Telegraph, my hometown paper. They do a good job of reporting local news. So they report, as did FOX and the San Antonio Express-News:

Villarreal and at least six other men face charges linked to more than \$3 billion in debt racked up by the Coahuila government during the administration by the former governor, Humberto Moreira.

Villarreal is accused of falsifying documents involving \$325 million in bank loans to the state shortly before Moreira resigned to become national president of the opposition Institutional Revolutionary Party, or PRI.

State police arrested Villarreal and another former Coahuila official October 28 charging them in connection with suspicious loans. Villarreal was released on bail within hours after being detained.

I was told that bond was around \$1 million. The article continues with a quote from our sheriff there, J.B. Smith:

"All we did was make a traffic stop. We did not realize we had stopped a major person of interest for Mexico and the United States."

Villarreal was charged with money laundering and turned over to Immigration and Customs Enforcement. He was released on February 6 on \$20,000 bail, according to jail records. Carl Rusnok, an ICE spokesman in Dallas, would not comment on the situation.

Three days later, Federal investigators in Mexico issued a warrant for Villarreal's arrest. Members of Mexico's ruling National Action Party, or PAN, are asking the same questions: Why was Villarreal able to enter the U.S. and why was he released?

We're giving visas to people because they promised to come in here and invest \$500,000 or \$1 million in the U.S. What, do we need to change the inscription on the Statute of Liberty? Give us your tired, your fugitives, your embezzlers? Give us your criminals longing to stay free?

Some of us have been pretty critical of the Mexican Government not being tougher on corruption. Here we have a case where it appears the Mexican Government is trying to crack down on corruption.

I know from my days as a judge, when somebody is released on bond, they're not allowed to leave the country. Why wouldn't our government—because I was assured today in a hearing of the Immigration Committee by the Customs and Immigration Service Director that, gee, they do a very thorough background study on people before they will give them this EB-5 visa. They're very thorough, I was told. I'm looking forward to the report from the Director that he promised me today in the hearing as to exactly what happened here, why they didn't pick up that these people were being charged in Mexico with embezzlement of hundreds of millions, maybe even billions of dollars.

I mean, is the economy so in need of help that we welcome people charged with criminal activity to come in as long as they'll invest their dirty money in our country? We need to have better standards than that. We need to be the country that was, as it once was, a rule-of-law Nation, where the law mattered.

But once they were in Dallas, the State Department, I was told by the law enforcement officials I'd talked to, they were told—Homeland Security, ICE—you've got to let these folks go. We gave them a valid visa. They told the local officials that, now, we did revoke that visa, but since they came into the U.S. before we revoked the visa, we have to let them stay, so you've got to let them go. They were ordered to let these three individuals go.

□ 2050

Now, I was told that upon pulling these folks out of detention and being told that the State Department had ordered their release and that they were free to go wherever they wanted in the United States that Villarreal's wife said, But you told us we were going to be deported back to Mexico, where the charges were waiting for them.

He said, No, we're told we have to release you here in this country.

When she started to say that didn't make sense, Mr. Villarreal responded very assertively in Spanish, and she didn't say anything after that. It's not hard to figure out what he must have said:

Look, if these people are so stupid they're going to let us go when we're wanted in Mexico, when we're wanted here and they're going to let us go, just shut up, and let these stupid people let us go.

So they were let go.

It was only a day or two later that the State Department said, You know what? These people are wanted fugitives, and we need to hang onto them.

They're gone and they haven't been found, and they told local law enforcement that they had access to private jets so they could come in and out of the United States when they were ready to.

Well, I hope they find them. As a former prosecutor, as a former judge and chief justice, the law needs to be addressed.

In the meantime, here in Congress, we did have a hearing today with immigration officials, including the inspector general of the immigration service, CIS. I was told during the hearing that if the chairman of our immigration committee will request an investigation, the IG will do that investigation, and I'm hopeful that will be forthcoming.

We've got to clean up this administration's mess. It's bad enough the damage that's being done to Medicare and our seniors. It's bad enough that a payroll tax rate of insurance is being reduced so that there is not enough money to pay Social Security from the Social Security tax coming in again this year and that it may go from an approximately 5 percent shortfall last year to a maybe 14 percent or so shortfall this year. It's bad enough we're doing that to the seniors. It's bad enough what ObamaCare will be doing to the seniors in making it difficult for them to find the care they need in the years to come unless we repeal ObamaCare—but now we have to deal with fugitives coming in from Mexico because they were willing to invest money that the Mexican authorities allege was stolen, embezzled money.

At some point, it is time to stop hurting American citizens who have contributed and who have been law-abiding for their lives. It's time the government became a proper referee and quit trying to divide America, quit trying to be the player, the coach and the referee and got back into the business of making sure Americans are treated fairly, that Americans are protected from outside evil forces—those who want to harm us and destroy our way of life. It's time to get the United States Government back into the business of providing for the common defense, of making sure there is a level playing field, of encouraging competition, not rewarding cronies who have some wild-eyed scheme of something that they call "green energy" while the rest of America can't even fill up their gas tanks.

It is time to do the job that is given to Congress, that is given to the President in the Constitution; and once we

get back to that and concentrate on doing that well, America could make another 200 years.

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

#### RECESS

The SPEAKER pro tempore (Mrs. BLACK). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 8 o'clock and 54 minutes p.m.), the House stood in recess.

□ 2129

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BLACK) at 9 o'clock and 29 minutes p.m.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. MOORE (at the request of Ms. PELOSI) for today until 3 p.m. on account of official business in the district.

#### ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1162. An act to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes.

#### ADJOURNMENT

Mr. GOHMERT. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 30 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, February 16, 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:

5004. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Trichoderma virens strain G-41; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0053; FRL-9333-5] received January 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5005. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility for Repealing Its Floodplain Management Regulations [Docket ID: FEMA-2011-0020] received January 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5006. A letter from the General Counsel, National Credit Union Administration,

transmitting the Administration's final rule — New Worth and Equity Ratio (RIN: 3133-AD87) received January 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5007. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Corporate Credit Unions (RIN: 3313-AD95) received January 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5008. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Covered Securities of Bats Exchange, Inc. [Release No.: 33-9295; File No.: S7-31-11] (RIN: 3235-AL20) received January 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5009. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Designation of Areas for Air Quality Planning Purposes; Maryland; Determination of Nonattainment and Reclassification of the Baltimore 1997 8-Hour Ozone Nonattainment Area [EPA-R03-OAR-2011-0681-201124; FRL-9625-3] received January 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5010. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Nonconformance Penalties for On-highway Heavy Heavy-Duty Diesel Engines [AMS-FRL-9623-8] received January 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5011. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval, Disapproval and Promulgation of Air Quality Implementation Plans; District of Columbia; Regional Haze State Implementation Plan [EPA-R03-OAR-2011-0913; FRL-9625-5] received January 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5012. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Amendments to Virginia's Regulation Regarding the Sulfur Dioxide National Ambient Air Quality Standard [EPA-R03-OAR-2011-0731; FRL-9625-8] received January 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5013. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plans; California; San Joaquin Valley; Attainment Plan for 1997 8-hour Ozone Standards [EPA-R09-OAR-2011-0589; FRL-9624-5] received January 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5014. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plans; California; South Coast; Attainment Plan for 1997 8-hour Ozone Standards [EPA-R09-OAR-2011-0622; FRL-9624-6] received January 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5015. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Amendments to the Queen Conch and Reef Fish Fishery Management Plans of Puerto

Rico and the U.S. Virgin Islands [Docket No.: 100120037-1626-02] (RIN: 0648-AY55) received January 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5016. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Amendments to the Reef Fish, Spiny Lobster, Queen Conch and Coral and Reef Associated Plants and Invertebrates Fishery Management Plans of Puerto Rico and the U.S. Virgin Islands [Docket No.: 101217620-1788-03] (RIN: 0648-BA62) received January 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5017. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone off Alaska; Inseason Adjustment to the 2012 Gulf of Alaska Pollock and Pacific Cod Total Allowable Catch Amounts [Docket No.: 101126522-0640-02] (RIN: 0648-XA917) received January 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5018. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources in the Gulf of Mexico and Atlantic Region; Amendment 18 [Docket No.: 101206604-1758-02] (RIN: 0648-BB33) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5019. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish of the Gulf of Alaska; Amendment 88 [Docket No.: 110314196-1725-02] (RIN: 0648-BA97) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5020. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Fishing Restrictions for Bigeye Tuna and Yellowfin Tuna in Purse Seine Fisheries for 2012 [Docket No.: 11127732-1745-01] (RIN: 0648-BB73) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5021. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Removal of Standardized Bycatch Reporting Methodology Regulations [Docket No.: 111219777-1775-02] (RIN: 0648-BB52) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5022. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Comprehensive Ecosystem-Based Amendment 2 for the South Atlantic Region [Docket No.: 110831547-1736-02] (RIN: 0648-BB26) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5023. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; Interim 2012 Summer Flounder, Scup, and Black Sea Bass Specifications; 2012 Research Set-Aside Projects [Docket No.: 111220786-1781-01] (RIN: 0648-AX795) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

## 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 Mr. JOHNSON of Georgia (for himself, Mr. LEWIS of Georgia, Mr. McDERMOTT, and Mr. CONNOLLY of Virginia):

H.R. 4032. A bill to amend the Internal Revenue Code of 1986 to make permanent the 2010 increase in the deduction for start-up expenditures; to the Committee on Ways and Means.

By Mr. SULLIVAN:

H.R. 4033. A bill to amend the Indian Gaming Regulatory Act to provide for community approval before Indian class III gaming operations may take effect; to the Committee on Natural Resources.

By Ms. VELÁZQUEZ:

H.R. 4034. A bill to amend title V of the Social Security Act to provide grants for school-based mentoring programs for at risk teenage girls to prevent and reduce teen pregnancy, and to provide student loan forgiveness for mentors participating in such programs; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, 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. REICHERT (for himself and Mr. LARSON of Connecticut):

H.R. 4035. A bill to amend the Internal Revenue Code of 1986 to exempt private foundations from the tax on excess business holdings in the case of certain philanthropic enterprises which are independently supervised, and for other purposes; to the Committee on Ways and Means.

By Mr. JOHNSON of Ohio:

H.R. 4036. A bill to amend the Legislative Reorganization Act of 1946 to impose a daily reduction in the rates of pay for Members of Congress if Congress fails to agree to a concurrent resolution on the budget; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, 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. SABLÁN:

H.R. 4037. A bill to provide that no Federal funds may be used for any construction project in the Northern Mariana Islands the cost of which exceeds \$100,000, unless the workforce carrying out the project is composed of at least 60 percent United States workers; to the Committee on Oversight and Government Reform.

By Mr. ACKERMAN (for himself, Mr. HINCHEY, Mr. NADLER, Mr. MCGOVERN, Ms. WATERS, Mr. CICILLINE, and Mr. ELLISON):

H.R. 4038. A bill to amend the Internal Revenue Code of 1986 to provide a 4-year exten-

sion of the deduction for tuition and related expenses; to the Committee on Ways and Means.

By Mr. AMODEI (for himself, Mr. HECK, and Ms. BERKLEY):

H.R. 4039. A bill to convey certain Federal land to the city of Yerington, Nevada; to the Committee on Natural Resources.

By Mr. BACA (for himself, Mr. ROONEY, Mr. TIBERI, and Mr. AUSTRIA):

H.R. 4040. A bill to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf; to the Committee on Financial Services.

By Mr. BERMAN (for himself and Mr. MANZULLO):

H.R. 4041. A bill to amend the Export Enhancement Act of 1988 to further enhance the promotion of exports of United States goods and services, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BRALEY of Iowa:

H.R. 4042. A bill to amend the Public Health Service Act to designate certain medical facilities of the Department of Veterans Affairs as health professional shortage areas, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GALLEGLY:

H.R. 4043. A bill to amend title 10, United States Code, to direct the Secretary of Defense to establish Southern Sea Otter Military Readiness Areas for national defense purposes, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Natural Resources, 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. KINZINGER of Illinois:

H.R. 4044. A bill to amend the National Telecommunications and Information Administration Organization Act to create a Federal Spectrum Reallocation Commission, to provide for the use of a portion of the proceeds from the auction of reallocated Federal spectrum for deficit reduction, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KLINE:

H.R. 4045. A bill to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date; to the Committee on Armed Services.

By Mr. LAMBORN (for himself, Mrs. SCHMIDT, Mr. JONES, Mr. MCCOTTER, Mr. LATTA, Mr. BROUN of Georgia, Mr. BURTON of Indiana, Mrs. BACHMANN, Mr. DUNCAN of South Carolina, Mr. KING of Iowa, Mr. BRADY of Texas, Mr. FRANKS of Arizona, Mr. CHABOT, Mr. CULBERSON, Mr. FLEMING, Mr. PEARCE, Mr. COLE, Mr. HARRIS, Mr. PAUL, Mrs. HARTZLER, Mr. GOHMERT, Mr. NEUGEBAUER, Mr. CONAWAY, and Mr. MARCHANT):

H.R. 4046. A bill to amend the General Education Provisions Act to prohibit Federal education funding for elementary or secondary schools that provide access to emergency postcoital contraception; to the Committee on Education and the Workforce.

By Mr. MURPHY of Connecticut:

H.R. 4047. A bill to require solicitations for Federal procurement contracts to include information about the applicability of Buy American law and whether foreign goods may be used to fulfill the requirements of

the contracts; to the Committee on Oversight and Government Reform.

By Ms. CASTOR of Florida:

H. Res. 548. A resolution acknowledging the National Academy of Inventors (NAI) as a driving factor in the world economy and the contributions of scientist-inventors across all disciplines; to the Committee on the Judiciary.

By Mr. ELLISON:

H. Res. 549. A resolution calling for democratic change in Syria; to the Committee on Foreign Affairs.

By Mr. GRIJALVA:

H. Res. 550. A resolution expressing the support of the House of Representatives for innovative transformative research conducted by early career faculty, and recognizing the Research Corporation for Science Advancement (RCSA) on its 100th anniversary for supporting such research; to the Committee on Science, Space, and Technology.

By Mr. SCHWEIKERT (for himself, Mr. FLAKE, Mr. QUAYLE, Mr. GRIJALVA, Mr. PASTOR of Arizona, Mr. GOSAR, and Mr. FRANKS of Arizona):

H. Res. 551. A resolution celebrating the Arizona centennial; to the Committee on Oversight and Government Reform.

#### 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 Mr. JOHNSON of Georgia:

H.R. 4032.

Congress has the power to enact this legislation pursuant to the following: Article I, Sec. 8 cl. 1 and cl. 1.

By Mr. SULLIVAN:

H.R. 4033.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

“The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”

By Ms. VELÁZQUEZ:

H.R. 4034.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. REICHERT:

H.R. 4035.

Congress has the power to enact this legislation pursuant to the following:

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.

By Mr. JOHNSON of Ohio:

H.R. 4036.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7.

By Mr. SABLAN:

H.R. 4037.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, section 8, clause 3 and Article IV, section 3, clause 2 of the Constitution.

By Mr. ACKERMAN:

H.R. 4038.

Congress has the power to enact this legislation pursuant to the following:

Amendment XVI to the Constitution

By Mr. AMODEI:

H.R. 4039.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. BACA:

H.R. 4040.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article 1 of the Constitution—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. BERMAN:

H.R. 4041.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. BRALEY of Iowa:

H.R. 4042.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. GALLEGLY:

H.R. 4043.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 13 & 14 of the U.S. Constitution, giving Congress the power to provide and maintain a Navy, and also make rules for the Government and Regulation of the land and naval Forces.

By Mr. KINZINGER of Illinois:

H.R. 4044.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. KLINE:

H.R. 4045.

Congress has the power to enact this legislation pursuant to the following:

This legislation ensures that members of the National Guard and Reserve Component who mobilized and deployed prior to changes made to Department of Defense guidelines pertaining to the earning of the Post Deployment Mobilization Respite Absence Program do not receive a reduction in their earned benefits while deployed in defense of our nation. Specific authority is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. LAMBORN:

H.R. 4046.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. MURPHY of Connecticut:

H.R. 4047.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. BERMAN.

H.R. 178: Ms. WOOLSEY.

H.R. 303: Mr. HOLDEN.

H.R. 374: Mr. GOSAR and Mr. KINZINGER of Illinois.

H.R. 383: Mr. CLAY.

H.R. 459: Mr. CRAWFORD, Mr. BISHOP of Georgia, Mr. CASSIDY, and Mr. PEARCE.

H.R. 466: Mr. GOODLATTE and Mr. CLAY.

H.R. 481: Mr. HASTINGS of Florida.

H.R. 615: Mr. MURPHY of Pennsylvania, Mr. HENSARLING, and Mr. SCHWEIKERT.

H.R. 623: Mr. KUCINICH and Ms. NORTON.

H.R. 665: Mrs. BLACK.

H.R. 718: Ms. WATERS, Mr. ACKERMAN, and Mr. WALBERG.

H.R. 735: Mrs. BONO MACK.

H.R. 809: Mr. BALDWIN and Mr. CLAY.

H.R. 812: Mr. GRIJALVA.

H.R. 941: Ms. SCHAKOWSKY.

H.R. 981: Mrs. ADAMS.

H.R. 1084: Mr. HANABUSA.

H.R. 1161: Mr. CRAVAACK.

H.R. 1176: Mr. DICKS, Mr. RIGELL, Ms. ESHOO, and Ms. BERKLEY.

H.R. 1179: Mr. CUELLAR, Mr. WITTMAN, Mr. SULLIVAN, Mr. GARDNER, and Mr. MCKINLEY.

H.R. 1190: Mr. PRICE of North Carolina and Ms. CHU.

H.R. 1265: Mr. MEEHAN.

H.R. 1288: Mr. JOHNSON of Georgia and Mr. BISHOP of New York.

H.R. 1303: Mr. CLAY.

H.R. 1332: Mr. QUIGLEY.

H.R. 1488: Mrs. DAVIS of California.

H.R. 1513: Mr. SABLAN, Mr. ROHRBACHER, Mrs. MYRICK, Mr. JONES, Mr. GINGREY of Georgia, Mr. DUNCAN of Tennessee, and Mr. KINGSTON.

H.R. 1578: Mr. CLAY.

H.R. 1588: Mrs. SCHMIDT.

H.R. 1724: Mr. CLAY.

H.R. 1738: Mr. POLIS.

H.R. 1744: Mr. YOUNG of Alaska, Mr. KING of New York, and Mr. FLAKE.

H.R. 1802: Mr. CARNEY.

H.R. 1819: Mr. SCHWEIKERT.

H.R. 1865: Mrs. BLACK, Mr. CRENSHAW, and Mr. SCHWEIKERT.

H.R. 1867: Mr. COHEN.

H.R. 1912: Mr. ELLISON and Mr. SHERMAN.

H.R. 1916: Mr. CLARKE of Michigan and Mr. FITZPATRICK.

H.R. 1955: Mr. MILLER of North Carolina.

H.R. 1960: Mr. COURTNEY.

H.R. 1964: Mr. SHIMKUS.

H.R. 2014: Mr. SMITH of Washington.

H.R. 2016: Mr. BERMAN.

H.R. 2040: Mr. CANSECO.

H.R. 2069: Mr. YOUNG of Indiana.

H.R. 2085: Ms. TSONGAS and Mr. FATTAH.

H.R. 2104: Ms. WATERS, Ms. DEGETTE, and Ms. TSONGAS.

H.R. 2152: Mr. MCINTYRE, Mr. ALTMIRE, and Ms. WASSERMAN SCHULTZ.

H.R. 2168: Ms. PINGREE of Maine.

H.R. 2181: Mr. KEATING.

H.R. 2182: Mr. GONZALEZ.

H.R. 2245: Mr. MCCAUL.

H.R. 2281: Ms. ZOE LOFGREN of California.

H.R. 2284: Mr. ELLISON.

H.R. 2288: Mr. BRADY of Pennsylvania.

H.R. 2334: Ms. TSONGAS and Mr. BOREN.

H.R. 2342: Ms. WATERS and Mr. NORTON.

H.R. 2528: Mr. ROE of Tennessee, Mr. CHAFFETZ, Mrs. LUMMIS, Mr. GARRETT, Mr. HUELSKAMP, Mr. CONAWAY, Mr.

- SOUTHERLAND, Mr. MCHENRY, and Mr. GOHMERT.  
 H.R. 2529: Mr. LATOURETTE.  
 H.R. 2569: Mr. DUNCAN of South Carolina.  
 H.R. 2607: Mr. CLARKE of Michigan and Ms. SCHAKOWSKY.  
 H.R. 2697: Mr. SCHOCK.  
 H.R. 2728: Mr. GRIJALVA.  
 H.R. 2741: Ms. SCHAKOWSKY.  
 H.R. 2834: Mr. GOSAR and Mr. MILLER of Florida.  
 H.R. 2881: Ms. WILSON of Florida.  
 H.R. 2959: Mr. SCHOCK.  
 H.R. 2966: Mr. COFFMAN of Colorado.  
 H.R. 2970: Mr. FRELINGHUYSEN.  
 H.R. 2981: Mr. JACKSON of Illinois.  
 H.R. 3053: Mr. ELLISON.  
 H.R. 3059: Ms. PINGREE of Maine.  
 H.R. 3061: Mr. BISHOP of New York.  
 H.R. 3199: Mr. GRIFFIN of Arkansas and Mr. CAMPBELL.  
 H.R. 3210: Mr. MATHESON.  
 H.R. 3221: Mr. ELLISON.  
 H.R. 3238: Mr. LANGEVIN, Mr. CICILLINE, Mr. NEAL, Mr. QUIGLEY, Mr. MORAN, Mr. HOLT, Mr. VAN HOLLEN, and Ms. PINGREE of Maine.  
 H.R. 3264: Mr. BRADY of Texas, Mr. HARRIS, Mr. PEARCE, and Mr. WEST.  
 H.R. 3307: Mr. BOUSTANY and Mr. BOREN.  
 H.R. 3359: Mr. RANGEL.  
 H.R. 3368: Mr. RANGEL and Mr. FATTAH.  
 H.R. 3399: Mr. SCHOCK and Mr. BOSWELL.  
 H.R. 3401: Mr. CANSECO and Mrs. BONO MACK.  
 H.R. 3423: Mr. YODER, Mr. YARMUTH, Mr. CICILLINE, Mr. MCKINLEY, and Mr. ROE of Tennessee.  
 H.R. 3483: Mr. WALZ of Minnesota, Mr. RYAN of Ohio, and Mr. FILNER.  
 H.R. 3506: Mr. LATHAM.  
 H.R. 3559: Mr. LUETKEMEYER.  
 H.R. 3572: Mr. LANCE, Ms. HAHN, and Mr. COHEN.  
 H.R. 3573: Mr. CLAY.  
 H.R. 3612: Mr. TOWNS.  
 H.R. 3634: Mr. SESSIONS and Mr. COBLE.  
 H.R. 3646: Ms. BALDWIN.  
 H.R. 3733: Mr. BLUMENAUER.  
 H.R. 3785: Mr. STARK.  
 H.R. 3798: Mr. COHEN, Mr. FILNER, and Mr. BACA.  
 H.R. 3803: Mr. SENSENBRENNER, Mrs. MYRICK, and Mr. COBLE.  
 H.R. 3806: Mr. BROOKS.  
 H.R. 3808: Mr. ROSS of Florida.  
 H.R. 3814: Mr. SCHWEIKERT.  
 H.R. 3824: Mrs. NAPOLITANO, Mr. GRIJALVA, and Mr. PASTOR of Arizona.  
 H.R. 3826: Mr. CONNOLLY of Virginia, Mr. BISHOP of New York, Ms. BASS of California, Mr. DOYLE, Mr. RAHALL, Mr. CARNAHAN, and Mr. WAXMAN.  
 H.R. 3828: Mr. WOLF, Mr. GRIFFIN of Arkansas, and Mr. FRANKS of Arizona.  
 H.R. 3840: Ms. LEE of California.  
 H.R. 3842: Mr. FINCHER and Mr. HUNTER.  
 H.R. 3844: Mrs. NOEM.  
 H.R. 3855: Mr. BENISHEK.  
 H.R. 3860: Ms. SCHAKOWSKY and Mr. REYES.  
 H.R. 3863: Mr. RYAN of Wisconsin.  
 H.R. 3867: Mr. GOHMERT, Mr. DUNCAN of South Carolina, Mr. FLEMING, Mr. ROSS of Florida, and Mr. PEARCE.  
 H.R. 3871: Mr. LUETKEMEYER.  
 H.R. 3875: Mr. PAYNE and Mr. MICHAUD.  
 H.R. 3881: Mr. POLIS, Mr. FILNER, and Mr. GRIJALVA.  
 H.R. 3886: Mr. FARR.  
 H.R. 3895: Mr. MICHAUD.  
 H.R. 3903: Mr. HOLT, Mr. FARR, and Mr. ELLISON.  
 H.R. 3910: Mr. THOMPSON of California.  
 H.R. 3981: Mr. ELLISON.  
 H.R. 3982: Mr. LONG, Mr. BROUN of Georgia, and Mr. CANSECO.  
 H.R. 3991: Mr. LANKFORD.  
 H.R. 3995: Ms. DEGETTE.  
 H.R. 4000: Mr. GRIMM, Mr. HALL, and Mr. HULTGREN.  
 H.R. 4010: Mr. PASTOR of Arizona, Mr. SERRANO, Mr. MURPHY of Connecticut, Mr. QUIGLEY, Mr. BLUMENAUER, and Mr. CAPUANO.  
 H.R. 4014: Mr. LUETKEMEYER and Mr. CANSECO.  
 H.J. Res. 101: Mr. JONES.  
 H. Con. Res. 18: Mr. SHERMAN.  
 H. Con. Res. 63: Mr. YOUNG of Alaska.  
 H. Con. Res. 100: Mr. FLAKE.  
 H. Res. 130: Mr. MORAN and Mr. MCNERNEY.  
 H. Res. 298: Mr. LATHAM.  
 H. Res. 460: Mr. DEUTCH, Mr. BRALEY of Iowa, Mr. KING of New York, Mr. AL GREEN of Texas, and Mr. FARR.  
 H. Res. 503: Mrs. ADAMS and Mr. SCOTT of South Carolina.  
 H. Res. 532: Mr. ROKITA.  
 H. Res. 543: Ms. BUERKLE, Mr. ISRAEL, Mr. NADLER, Mrs. MALONEY, Mr. TOWNS, Mr. HINCHEY, Mr. OWENS, Mr. KING of New York, Mr. SERRANO, Mr. RANGEL, Mr. TONKO, and Mr. GIBSON.