



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158

WASHINGTON, FRIDAY, JUNE 1, 2012

No. 81

Senate

The Senate was not in session today. Its next meeting will be held on Monday, June 4, 2012, at 2 p.m.

House of Representatives

FRIDAY, JUNE 1, 2012

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Eternal God, we give You thanks for giving us another day.

We pause now in Your presence, and acknowledge our dependence on You.

We ask Your blessing upon the men and women of this, the people's House. Keep them aware of Your presence as they face the tasks of this day, that no burden be too heavy, no duty too difficult, and no work too wearisome.

Help them, and indeed, help us all, to obey Your law, to do Your will, and to walk in Your way. Grant that they might be good in thought, gracious in word, generous in deed, and great in spirit.

Make this a glorious day in which all are glad to be alive, eager to work, and ready to serve You, our great Nation, and all our fellow brothers and sisters.

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

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 Connecticut (Mr. COURTNEY) come forward and lead the House in the Pledge of Allegiance.

Mr. COURTNEY 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five 1-minute requests on each side of the aisle.

STUDENT LOAN DEBT

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

Mr. WELCH. Mr. Speaker, the other day, I received a letter from a constituent, Lana Kunkel. Like many Vermonters, she is concerned about the doubling of Stafford student loan interest rates scheduled for July 1.

This is very personal for her. She used the Stafford loan to get a good education and start a career as a nurse. She is now a contributing member of the community. She is also the granddaughter of former U.S. Vermont Representative and Senator Bob Stafford, for whom the Stafford student loan program is named. Here is what she had to say about her grandfather:

I know my grandfather's intention for these loans was accessibility and not profit.

I understand that times are tough and people are looking everywhere, but this is just not right. My grandfather was known as a gentle giant, but if he were alive today, I think he would oppose this with force.

Mr. Speaker, Bob Stafford knew that a higher education was the clearest path to the middle class in this country—and he was a good Republican. We should not let the interest rates double. There is no justification for having these interest rates go from 3.4 to 6.8 percent. We have 30 days to act.

THE FOREST PRODUCTS FAIRNESS ACT OF 2012

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, the USDA Biobased Markets program was created to provide new markets for farm commodities and to encourage consumers to purchase environmentally friendly biobased products. Unfortunately, under the current law, most forest products are excluded from both the Federal procurement preference and the market label of the USDA Biobased Markets program. For instance, bamboo plywood is already eligible for the BioPreferred label and is used as a "green" alternative for hardwood flooring or lumber.

The Forest Products Fairness Act of 2012 modifies the definition of "biobased product" to clarify that forest products should be included in the Biobased Markets program if they

□ 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.



Printed on recycled paper.

H3365

meet the minimum biobased content requirements. The Forest Products Fairness Act of 2012 will enable U.S. producers to build back a competitive advantage through stronger, expanded product markets and new economic opportunities so that the industry can better compete in the global marketplace.

Including U.S.-made forest products as part of the USDA's BioPreferred program is a win-win for consumers and producers. It will promote healthy, well-managed forests and the protection of communities that rely on these jobs and industries to survive.

EXPIRATION OF INTEREST RATE FOR STAFFORD STUDENT LOAN PROGRAM

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

Mr. COURTNEY. Mr. Speaker, in 29 days, the interest rate for the Stafford student loan program is going to increase from 3.4 percent to 6.8 percent. This will add thousands of dollars of additional debt costs for middle class students all across America.

Yesterday, The Christian Science Monitor reported that Speaker BOEHNER called this issue a phony issue and a distraction from the real issues. There is nothing phony about adding thousands of dollars of added debt to middle class students. There is nothing phony about the Federal Reserve Board report that came out yesterday that showed that student loan debt increased by \$30 billion in the first quarter of this year, surpassing credit card debt. The only thing, frankly, that is a pretense around here is the work schedule: in this week, only 1 full day, 2 part-time days, and 40 days for the next 5 months.

It is time for us to get to work in this Chamber and to fix problems like the Stafford student loan interest rate.

VETERANS SKILLS TO JOBS ACT

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

Mr. DENHAM. Members, the recent Memorial Day weekend and now the ever-escalating high unemployment numbers remind us of how many veterans are out of work and of how many who will be returning home to no jobs.

For the last year, I've worked on the Veterans Skills to Jobs Act. When I left the active duty military, I realized that it would take me several years to get the credentialing on the civilian side that I already had on the military side.

We have the best, most sophisticated, trained workforce in the military. As they return home, we need to make sure that not only do they have jobs but that they have high-paying skilled jobs. By credentialing them through the Department of Defense before they

get discharged, we give them the opportunity to capture those jobs immediately.

When I introduced this bill, several weeks later, the Senate introduced a companion bill, and now, today, the President has declared his support for the bill. It is time to show leadership in both Houses, to show leadership in the Presidency, and to pass this bill.

Our brave men and women who have served so bravely and sacrificed so much deserve jobs when they get home, high-paying jobs that will allow them to get back into our society.

□ 0910

PASS THE DISCLOSE ACT

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

Mr. PALLONE. Mr. Speaker, Americans are growing more and more cynical of politics and politicians with good reason. Citizens United opened the floodgates to unrestricted special-interest campaign spending in elections, and we need to put an end to the influence of secret money in our elections.

I advocate the DISCLOSE Act. It would shine the light on secret money in political campaigns. The DISCLOSE Act requires public reporting by super-PACs, corporations, unions, and outside groups within 24 hours of making a campaign expenditure or transferring funds of \$10,000 or more to other groups for campaign-related activities.

Mr. Speaker, I tell you, when I'm on the trail and I talk to my constituents, everyone is outraged by the millions, and possibly billions, of dollars that are going to be spent on the Presidential, congressional, and Senate campaigns. It makes sense to have some transparency. We should pass the DISCLOSE Act so that at least those who make these contributions have to say who they are. It's only fair.

FIGHT AGAINST OBAMACARE

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

Mrs. BLACK. Mr. Speaker, as one of the most outspoken opponents of ObamaCare, I hope in the upcoming week that the Supreme Court strikes down this disastrous piece of legislation. But the fact is, no matter what the Supreme Court decides about ObamaCare, it does not change the reality that this law is horrible policy. That is why I voted more than two dozen times to either defund or repeal ObamaCare since being elected to Congress.

Yesterday, in the House Ways and Means markup, we successfully passed out of committee two bills that would repeal the ObamaCare tax hikes: one, the medical tax device; and, number two, the medicine-cabinet tax.

It is clear that the House must continue to fight against ObamaCare until either the Supreme Court overturns this law in its entirety or until we have willing partners in the Senate and the White House.

SUZANNE MCDANIEL: A HERO TO VICTIMS

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

Mr. POE of Texas. Mr. Speaker, today I rise to celebrate the life of a friend and someone who changed the lives of victims throughout the Nation.

Suzanne McDaniel appeared in my court years ago as one of the first prosecutor-based victim assistance directors in the State of Texas. She went on to start the Texas Crime Victims Clearinghouse, the first of its kind anywhere in the United States.

In recognition of her incredible work, she was tapped as the State's crime victim information officer, educating and influencing the community and the State legislature with her vast knowledge of victims' issues. This led to her role as a legislative liaison for the State coalition of victim organizations and her leadership on the board of the National Organization of Victim Assistance.

Suzanne's accomplishments are far reaching, touching lives in Texas and throughout our Nation. A crime victim wrote:

Suzanne feels everyone is important and needed in the fight to improve assistance for crime victims. I have never heard her say, It's not my job. In fact, she has never been shy about poking her nose into things and offering assistance. Her enthusiasm and dedication is boundless.

Mr. Speaker, her work will continue to touch crime victims for many years to come, and victims are safer in America because of Suzanne McDaniel and her life.

And that's just the way it is.

REPORT ON H.R. 5882, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2013

Mr. CRENSHAW, from the Committee on Appropriations, submitted a privileged report (Rept. No. 112-511) on the bill (H.R. 5882) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2013, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. DENHAM). Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in

which to revise and extend their remarks and to include extraneous material on the further consideration of H.R. 5325, and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 667 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5325.

Will the gentleman from Texas (Mr. POE) kindly take the chair.

□ 0916

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5325) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes, with Mr. POE of Texas (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, May 31, 2012, all time for general debate had expired.

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

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment who has caused it to be printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 5325

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes, namely:

TITLE I—CORPS OF ENGINEERS—CIVIL DEPARTMENT OF THE ARMY CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration, projects and related efforts prior to construction; for restudy of

authorized projects; and for miscellaneous investigations, and, when authorized by law, surveys and detailed studies, and plans and specifications of projects prior to construction, \$102,000,000, to remain available until expended.

CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); \$1,477,284,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104-303; and of which such sums as are necessary to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects shall be derived from the Inland Waterways Trust Fund: *Provided*, That the limitation concerning total project costs in section 902 of the Water Resources Development Act of 1986, as amended (33 U.S.C. 2280), shall not apply during fiscal year 2013 to any project that receives funds provided in this title.

AMENDMENT OFFERED BY MR. SCALISE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 16, after the dollar amount, insert "(increased by \$10,000,000)".

Page 28, line 16, after the dollar amount, insert "(reduced by \$10,000,000)".

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

Mr. SCALISE. Mr. Chairman, I appreciate the opportunity to present this amendment.

What we're doing is we're transferring \$10 million from the Department of Energy salary and expenses account over the Corps of Engineers' construction account. The reason this is critical is because it allows us to move forward on infrastructure improvements, including in Louisiana something that we've been trying to do to restore our coast and get moving on the Louisiana coastal area, which is one of many projects in the Corps' budget that is backlogged and not funded, and yet is critical for improving infrastructure, for creating jobs, and for doing things to protect our wetlands.

Mr. Chairman, I bring this football because in Louisiana we lose one football field of land every hour along the gulf coast in Louisiana due to coastal erosion. We have a plan that we put forth. Governor Bobby Jindal and his team have a solid plan in place that they've moved forward on. Mr. Chair, this is an authorized program. We're just trying to make sure that this program can move forward like so many others across the country that would

improve our waterways and would strengthen our coastlines.

You've got salaries that are being funded for projects now. And if you look at the Department of Energy, we've actually cut back on a lot of the work that they do at the Department of Energy. Rightfully so. They are eliminating programs that are unnecessary, and yet their salaries still continue to go up.

□ 0920

You know, we ask people to do more with less. In this case, they're doing less with more, and so we're moving money out of a salaries account for people that are doing less work and moving it into actually doing coastal projects, actually doing work that improves our coasts and strengthens the area, protects the vital infrastructure for the oil and gas industry that feeds this Nation's energy needs and the seafood that feeds this Nation's great taste for great things like shrimp and oysters and crabs.

This is a bipartisan amendment, and I want to thank the gentleman from Louisiana (Mr. RICHMOND) for helping us with this amendment.

I yield to the gentleman from Louisiana (Mr. RICHMOND).

Mr. RICHMOND. Thank you to my colleague from Louisiana. We have the great honor and awesome responsibility of representing the coast of Louisiana.

Mr. Chairman, the coast of Louisiana, since 1950, has sent to the American Treasury almost \$150 billion. Up until 2006, we didn't receive any revenues back from the Federal Government for drilling off of our Outer Continental Shelf.

What we do today is ask for the ability to help ourselves, protect our citizens, and make this country safer. At the end of the day, I'd like to remind the Chair that our State has over 40 percent of the Nation's wetland losses. We have 80 percent of wetland loss, we only have 40 percent of the Nation's wetlands.

If you look at what we give back to this country, I think that you will see that a \$10 million investment would be a very good investment into our country, into our State, if you look at the cost-benefit analysis.

Our wetlands produce a third of the Nation's seafood supply and much of our domestic energy. Our coast is the home to the port, the country's largest port system. These ports move the overwhelming majority of our imports and exports in this country.

It's not just about the oil and gas production, it's not just about Louisiana's importance in terms of our energy production for this country, but it also makes the residents of Louisiana safer. That coastal land and those barrier islands produce the first defense against hurricanes. We also saw during Hurricane Katrina, the devastation that could be caused.

We're just asking this body to approve this amendment, which will help

Louisiana protect our citizens, protect America's energy production.

Mr. SCALISE. I thank my colleague from Louisiana for his comments, and I just urge all of our colleagues to vote for this amendment so that we can actually use money to do real projects instead of to fund the bureaucracy of Washington. Especially when we're actually reducing the workload that they have to do, let's actually shift that money over to an area where we can actually increase jobs, protect our Nation, protect our energy and infrastructure that benefits the entire country.

With that, I would urge passage of this amendment.

I yield back the balance of my time.

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

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I do appreciate the passion of both of these gentlemen for coastal restoration. I know it's a high priority for his district and his State. Of course, the focus is Louisiana, and they have suffered greatly.

The bill before us includes \$10 million to continue studies, engineering, and design work on various components of their program in Louisiana. That is more than 9 percent of the entire investigations account dedicated to continuing work on coastal restoration in Louisiana.

The committee has had to make some tough choices in this bill, though. While overall funding for the Corps of Engineers has increased slightly above the President's request, unfortunately, it is reduced by 4 percent from fiscal year 2012. The construction account, specifically, is also slightly above the President's budget request, but that is still a reduction of almost 13 percent from fiscal year 2012.

The Corps has numerous projects already under construction that were not included in the President's budget and so are unlikely to be funded in fiscal year 2013. While construction funding is trending downward, I believe it is most prudent to prioritize funding for ongoing projects so they can be completed, actually completed, and the Federal Government can realize the public safety, economic and other benefits from previous spending rather than starting new projects.

Given this particular project as currently authorized approaches \$2 million and likely will continue to grow in costs, it would not be prudent to begin another new major new project while we have so many existing commitments.

For these reasons, I must oppose the amendment and urge my colleagues to vote "no."

I yield back the balance of my time.

Mr. VISCLOSKEY. Mr. Chairman, I move to strike the last word.

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

Mr. VISCLOSKEY. I appreciate the recognition and rise to express, first of all, to my colleague and friend from Louisiana my appreciation for his argument today, and particularly the football analogy that he used. I say that as a Notre Dame graduate, and I would congratulate him on his victory the last time our two teams played on the field.

Having said that, however, both he and my colleague on the Democratic side, I join with the chairman in reluctant opposition to the amendment. The chairman has opted for a policy of no new starts, a policy that I strongly support and have opted for during these times of budgetary constraints.

I would point out that while there is only \$10 million in the amendment before the House today, the fact is this project will cost several billion dollars by the time we are done, and starting it now is a cost that we cannot afford to adequately fund because we do not have the resources in the bill.

Over the last several years, we have, in fact, terminated hundreds of ongoing projects, to our great dismay and to the weakening of the infrastructure of our economy in this country. But until we as an institution, the Congress, have the intestinal fortitude to adequately fund our infrastructure in these types of very necessary investment—that is not the argument before us—I cannot support adding to the inventory of projects that we must start but cannot.

If the allocation for the bill were different, I might be able to support the gentleman's amendment. Again, as it now stands, we are short of cash. The fact is the amount in the bill today—and the chairman and I and every member of the subcommittee fought to add \$82 million to the President's request. We are \$631 million today, in this bill, below what we were spending as a Nation on these projects 2 years ago. We don't have the money, unfortunately, to fund the gentleman's amendment, and therefore, again, I express my sincere appreciation for what he wants to do but my reluctant opposition to his amendment.

I yield back the balance of my time.

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

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

Mr. SCALISE. 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 OFFERED BY MR. HOLT

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 16, after the dollar amount, insert "(increased by \$2,000,000)".

Page 7, line 4, after the dollar amount, insert "(reduced by \$2,000,000)".

□ 0930

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. HOLT. Mr. Chairman, today the 2012 Atlantic hurricane season officially begins, and so I come to the floor to speak for increased resources to prevent flood damage, as they have devastated our communities in New Jersey and around the eastern United States.

In H.R. 5325, Chairman FRELINGHUYSEN and the committee have provided for the U.S. Corps of Engineers \$1.5 billion for planning, training, and other measures to ensure the readiness of the Corps to respond to floods, hurricanes, and other natural disasters. I thank the chairman and the committee for that work.

This amount is \$216.7 million below the amount that the Corps received for flood preparation in 2012. My amendment would provide an additional \$2 million so the Corps can continue critical lifesaving flood preparation work. Although this won't close the funding gap, my amendment would demonstrate the commitment of Congress to addressing proactively the variety of problems that can result from severe weather events and flooding.

Last August and September, many central New Jersey residents experienced flood damage due to Hurricane Irene and Tropical Storm Lee. Evacuations and property damage can be a heavy burden to bear for many of our constituents. In recent years, there have been deaths in New Jersey from such flooding.

I was traveling through my district during and after last year's hurricane and saw firsthand the flooding damage in the Delaware and Raritan River Basins and elsewhere. When Hurricane Irene hit New Jersey last year, it cast more than 10,000 people from their homes and left more than 190,000 utility customers without power; 11 inland rivers and their tributaries crested, with some at record levels.

The best time to address flooding is before the severe weather occurs. Unfortunately, it seems that severe weather events like floods and droughts will become only more common as the Earth's temperature continues to rise. There are a number of critical infrastructure and public works projects throughout central New Jersey that the Corps is at work on, that the Corps is aware of, that the Corps is planning to deal with, and they must continue in order to prepare for these severe weather events.

Again, I appreciate the foresight and the wisdom of Chairman FRELINGHUYSEN. This amendment would provide additional funds and incentives to the Corps to continue with these important projects.

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

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I understand the gentleman, my colleague from New Jersey, is trying to show support for the Army Corps of Engineers' construction program. He's been a longtime advocate for projects important to his district, and I commend him for that.

And I agree with him in his desire to invest more in water resources infrastructure. There have been numerous flood control needs, for instance, across the entire country, including our home State of New Jersey. Experience has shown us that it's cheaper to try to prevent flood damages than trying to recover from them.

Although I believe the underlying bill that we've put together—Mr. VISCLOSKY and I—struck a careful balance among all priorities in the bill, including national security and innovation, I do not have any objection to his amendment, and I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

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

Mr. VISCLOSKY. I would join the chairman in supporting the amendment.

I would mention that the Corps' investment in 2010 alone protected infrastructure in this country and prevented over \$28 billion worth of damages. The amendment is a modest one and it is spread across all of the accounts for a 0.14 percent increase. As the chairman noted, he worked very vigorously to increase the amounts over the President's request by \$6 million. We remain \$217 million below last year's level.

So, again, I would join the chair in supporting the amendment, and I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 16, after the dollar amount, insert "(reduced by \$1,000,000)".

Page 5, line 1, after the dollar amount, insert "(increased by \$571,429)".

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

Mr. KING of Iowa. Mr. Chairman, I offer this amendment, which strikes a million dollars out of the Fish and Wildlife account and it inserts \$571,429 into the Reserve Maintenance account. So it is a net savings of \$428,571, which would go to deficit reduction.

But my purpose is not to focus on the deficit reduction component of this,

Mr. Chairman. My purpose is to make the statement that we have watched in that Missouri River system, the Pick-Sloan system that has six dams upstream and the longest channel in the United States going downstream, and we suffered a flood last summer, the 2011 flood of epic proportions.

The system had been designed and completed in 1968 based upon the largest runoff ever, which was 1881. Now it's 2011. Now the Corps of Engineers declares that last year's flood was a 500-year event. USGS says it's between a 70- and a 1,000-year event. The Corps picked the 500-year event, which defines it as an anomaly for them, and they refuse to manage the river in a fashion that protects us from serious downstream flooding. So instead of creating a habitat for fish and wildlife, which is the least tern, the piping plover, and the pallid sturgeon, now we have hundreds of miles of camel habitat—sand and dead trees—from the flooding.

I have a bill, H.R. 2942, that needs to move through this Congress. This is an opportunity to speak to the necessity to direct the Corps of Engineers to protect us from serious downstream flooding and consider fish and wildlife in the interests upstream. This redirects some of those funds to that to send a message to the Corps of Engineers to take a little bit out of their Fish and Wildlife account, which is around \$70 million, and put a little bit into their Maintenance account, which is around \$7 million, and start to adjust this proportion.

But it is a token vote, Mr. Chairman, because there's much more that needs to be done. We need to be able to discharge 120,000 cubic feet per second out of Gavins Point Dam and be able to maintain that within the channel. If we can do that, then the fisheries' interests upstream have a very minimal impact when the Corps is finally, under H.R. 2942, directed to adjust the levels to protect us from serious downstream flooding.

That is the argument. I urge the adoption of this amendment, the message that would be sent, and I yield back the balance of my time.

Mr. FRELINGHUYSEN. I move to strike the last word, Mr. Chairman.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, let me commend the gentleman from Iowa for his strong advocacy and passion for his district and his State and his constituents. First and foremost, he's very, very concerned about a critical issue.

We all know that there are significant water resource needs across our country, and we're doing our best in our bill to address them responsibly. The clarification I would like to be make is that the amendment simply adjusts overall account numbers. It does not direct funding to any specific project.

I would advise, respectfully, the gentleman and any other colleagues thinking of offering similar amendments—and we understand why people do; because they have a passion—that under the earmark ban, the final bill will not include funding towards specific projects in an amount above the President's budget request.

Instead of listing specific projects, our bill includes additional funding for categories of ongoing projects, primarily navigation and flood control. Final project-specific allocations will be made by the administration following the enactment of our bill.

With that clarification in mind, I'm pleased to support the gentleman's amendment, and I yield back the balance of my time.

□ 0940

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

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

Mr. VISCLOSKY. While I regret that we just received a copy of the gentleman's amendment while he was speaking, I have no objection to it, and I yield back the balance of my time.

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

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

Mr. KING of Iowa. Mr. Chairman, I demand a recorded vote.

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

The Clerk will read.

The Clerk read as follows:

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, \$224,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, \$2,507,409,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which

such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104-303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: *Provided*, That 1 percent of the total amount of funds provided for each of the programs, projects or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects or activities.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, \$190,000,000, to remain available until September 30, 2014.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, \$104,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, \$27,000,000, to remain available until expended.

AMENDMENT OFFERED BY MR. CLEAVER

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 18, after the dollar amount, insert "(increased by \$3,000,000)".

Page 7, line 4, after the dollar amount, insert "(reduced by \$3,000,000)".

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

Mr. CLEAVER. Mr. Chairman, I rise today to offer an amendment to bolster the Army Corps of Engineers' ability to fight floods and to quickly begin repair efforts as the floodwaters recede. Last year, my constituents, as well as thousands of others living along the Missouri River, experienced a flood of historic proportions and catastrophic damages. Levees were overtopped or breached, fields were damaged, and hundreds of farmers, homeowners, and businesses had to evacuate. Over 400,000 acres of farmland were flooded along the river, including approximately 207,000 in Missouri. Total repair costs from the flood are estimated to reach \$2 billion.

The Flood Control and Coastal Emergencies account provides funding to as-

sist in the immediate flood-fighting efforts and the repairs. Historically, Congress has provided limited funding annually for this account, mainly relying on supplemental appropriations as emergencies arise.

Funding for this account the last 2 years has been lower than the 5-year average appropriation of \$55 million. As was the case last year, after an emergency the Corps must wait on supplemental appropriations from Congress or they must transfer funds from existing appropriations for temporary emergency efforts. The Corps did this internal transfer last year during and after the 2011 flood. However, it takes time to transfer those funds and temporarily deprives other worthy projects of funding. This is especially burdensome given the Corps' long construction backlog of over \$62 billion worth of projects.

This amendment is a straight transfer of funds to increase funding for the Corps' Flood Control and Coastal Emergencies account and in turn reduce funding for the Corps' expenses account. This transfer would increase the funding to equal the amount that the Senate Appropriations Committee allocated, bringing total funding for that account to \$30 million for fiscal year 2013.

Mr. Chairman, ensuring adequate annual funding for emergencies will better prepare the Corps to respond and save time and effort in trying to re-route funds. And we all know that emergencies will continue to occur as our climate continues changing and development continues in flood-prone areas. It is incumbent upon us to provide the people who respond to these emergencies with the most resources possible. And so on behalf of the families living along the Missouri River who are in desperate need of help from this body, I ask for your support by adopting this amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in support of this amendment. Let me assure the gentleman that we are very sympathetic to his concern for fixing the infrastructure that was damaged in last year's flood event. In fact, we provided \$1.7 billion to the Corps of Engineers for that exact purpose.

The issue the gentleman raises, however, is something that all Members need to be aware of: based on the definitions in last year's amendments to the Budget Control Act, disaster relief funds may only be used in locations declared major disasters under the Stafford Act.

For some agencies, like FEMA, that may make sense. But for the Corps of Engineers, there are times when that definition is too restrictive. We all need to be aware of the potential con-

sequences of forcing regular appropriations to the account for these disaster-related damages that happen to be in the wrong location according to the Budget Control Act.

That notwithstanding, the gentleman's amendment would try to address some of these needs, and I'm pleased to support his amendment.

I yield back the balance of my time.

Mr. VISCLOSKEY. Mr. Chairman, I move to strike the last word.

The Acting Chair. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. I rise in support of the amendment, and join with the comments made by the chairman, and I yield back the balance of my time.

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center allocable to the civil works program, \$177,500,000, to remain available until September 30, 2014, of which not to exceed \$5,000 may be used for official reception and representation purposes and only during the current fiscal year: *Provided*, That no part of any other appropriation provided in title I of this Act shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: *Provided further*, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

AMENDMENT OFFERED BY MR. BROUN OF

GEORGIA

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, line 4, after the dollar amount, insert "(reduced by \$5,325,000)".

Page 7, line 22, after the dollar amount, insert "(reduced by \$150,000)".

Page 13, line 16, after the dollar amount, insert "(reduced by \$45,000)".

Page 16, line 20, after the dollar amount, insert "(reduced by \$1,710,000)".

Page 31, line 23, after the dollar amount, insert "(reduced by \$12,000,000)".

Page 47, line 22, after the dollar amount, insert "(reduced by \$2,259,510)".

Page 48, line 6, after the dollar amount, insert "(reduced by \$882,450)".

Page 48, line 14, after the dollar amount, insert "(reduced by \$350,310)".

Page 48, line 20, after the dollar amount, insert "(reduced by \$320,370)".

Page 49, line 9, after the dollar amount, insert "(reduced by \$42,750)".

Page 49, line 17, after the dollar amount, insert "(reduced by \$7,500)".

Page 50, line 17, after the dollar amount, insert “(reduced by \$3,810,840)”.

Page 51, line 20, after the dollar amount, insert “(reduced by \$102,000)”.

Page 52, line 6, after the dollar amount, insert “(reduced by \$30,000)”.

Page 56, line 24, after the dollar amount, insert “(increased by \$27,036,730)”.

Mr. BROUN of Georgia (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading.

Mr. DICKS. I object to the suspending of the reading.

The Acting CHAIR. Objection is heard.

The Clerk will read.

The Clerk continued to read.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order.

The Acting CHAIR. The gentleman from New Jersey reserves a point of order.

The gentleman from Georgia is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, this amendment would reduce the administrative and salaries and expenses accounts in the underlying bill by just 3 percent. It is similar to an amendment that I offered to the Commerce, Justice, and Science appropriations bill just a few weeks ago.

My message today is the same as it was then: we are in a fiscal emergency, and it is imperative that we work to get spending under control here in Washington, D.C.

Over the last 2 years, the House has voted to reduce our own administrative accounts—our Members’ representational allowances—by over 11 percent. As we all know, this has resulted in pay freezes, and in some cases pay cuts, for a number of our own staff members.

Yet during this same period of time, many agencies have seen reductions which are much lower than those which we have taken here in the House.

□ 0950

Amazingly, some of these Agencies funded under this bill have seen large increases in their administrative accounts. For example, under this bill, the Appalachian Regional Commission would receive a 9 percent increase in its administrative account over the FY11–FY13 period. Likewise, the salaries and the expenses account for the Defense Nuclear Facilities Safety Board would see a 21 percent increase. But if you think those increases are big, think again. This legislation would provide the Department of Energy’s departmental administration account with a 64 percent increase over 2 years.

Mr. Chairman, I’m not arguing the merits of any of these Agencies. But during this fiscal crisis, just 3 percent could yield significant savings—nearly \$30 million in the case of Agencies funded under this bill.

It’s time to tighten our belts. I urge support on my amendment, and I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise to oppose the amendment, but certainly understand it and share the passion of the gentleman for reducing Federal spending, and our bill does plenty of that. As we went through the process, we did exactly that.

This amendment would cut administrative expenses across the entire bill. Over many months and public hearings, our committee, in a bipartisan way, has already considered each administrative account separately and has made specific cuts while maintaining oversight to prevent wasteful spending. We’ve done our job. The gentleman’s amendment cuts all administrative accounts indiscriminately without regard to where funds are needed and where cuts are possible.

We understand where he is going, but the committee has done its work. Therefore, I must strongly oppose his amendment.

I yield back the balance of my time. I continue to reserve my point of order, though.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

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

Mr. VISCLOSKY. Mr. Chairman, I move to express my strong opposition to the amendment. Some would suggest outrage; I will simply say opposition.

The fact is, across-the-board cuts to administrative accounts when we have significant problems as far as the administration of some of these programs in the Department of Energy is a profound mistake.

What I really want to emphasize at this point to all of our colleagues in the House is that members of this subcommittee and the full Appropriations Committee—which approved this bill, the people of this committee approved this bill—have made value judgments account by account.

The fact is, for renewable energy—and we will have amendments on this issue—there is a \$428,345,000 reduction in this bill. In the Office of Science, there is a \$72,203,000 reduction. For environmental clean-up for defense sites, for example, there is an \$88,872,000 cut. These were all discrete decisions made and value judgments.

So I would emphasize to my colleagues that there are significant cuts and savings in this bill. I strongly oppose the gentleman’s amendment, and I yield back the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I make the point of order that the amendment proposes to amend portions of the bill not yet read.

The amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment proposes to increase the level of new budget authority in the bill.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order? If not, the Chair will rule.

To amend portions of the bill not yet read pursuant to section 3(j)(1) of House Resolution 5, an amendment must propose only to transfer appropriations from an object or objects in the bill to a spending reduction account.

Because the amendment offered by the gentleman from Georgia proposes to increase the spending reduction account by more than the amount being transferred out of other accounts, it may not avail itself of section 3(j)(1) of House Resolution 5 to address the spending reduction account.

The point of order is sustained. The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), \$5,000,000, to remain available until September 30, 2014.

ADMINISTRATIVE PROVISION

The Revolving Fund, Corps of Engineers, shall be available during the current fiscal year for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles for the civil works program.

GENERAL PROVISIONS, CORPS OF ENGINEERS—CIVIL

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. (a) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act;

(4) reduces funds that are directed to be used for a specific program, project, or activity by this Act;

(5) increases funds for any program, project, or activity by more than \$2,000,000 or 10 percent, whichever is less; or

(6) reduces funds for any program, project, or activity by more than \$2,000,000 or 10 percent, whichever is less.

(b) Subsection (a)(1) shall not apply to any project or activity authorized under section 205 of the Flood Control Act of 1948, section 14 of the Flood Control Act of 1946, section 208 of the Flood Control Act of 1954, section 107 of the River and Harbor Act of 1960, section 103 of the River and Harbor Act of 1962, section 111 of the River and Harbor Act of 1968, section 1135 of the Water Resources Development Act of 1986, section 206 of the Water Resources Development Act of 1996, or section 204 of the Water Resources Development Act of 1992.

(c) The Corps of Engineers shall submit reports on a quarterly basis to the Committees on Appropriations of the House of Representatives and the Senate detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 102. None of the funds made available in this title may be used to award or modify any contract that commits funds beyond the amounts appropriated for that program, project, or activity that remain unobligated, except that such amounts may include any funds that have been made available through reprogramming pursuant to section 101.

SEC. 103. None of the funds in this Act, or previous Acts, making funds available for Energy and Water Development, shall be used to award any continuing contract that commits additional funding from the Inland Waterways Trust Fund unless or until such time that a long-term mechanism to enhance revenues in this Fund sufficient to meet the cost-sharing authorized in the Water Resources Development Act of 1986 (Public Law 99-662) is enacted.

SEC. 104. Within 120 days of the date of the Chief of Engineers Report on a water resource matter, the Assistant Secretary of the Army (Civil Works) shall submit the report to the appropriate authorizing and appropriating committees of the Congress.

SEC. 105. During the fiscal year period covered by this Act, the Secretary of the Army is authorized to implement measures recommended in the efficacy study authorized under section 3061 of the Water Resources Development Act of 2007 (121 Stat. 1121) or in interim reports, with such modifications or emergency measures as the Secretary of the Army determines to be appropriate, to prevent aquatic nuisance species from dispersing into the Great Lakes by way of any hydrologic connection between the Great Lakes and the Mississippi River Basin.

SEC. 106. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to \$4,300,000 of funds provided in this title under the heading "Operation and Maintenance" to mitigate for fisheries lost due to Corps of Engineers projects.

SEC. 107. None of the funds appropriated in this Act shall be available for use by the Chicago District of the United States Army Corps of Engineers to fund any travel that is outside of the District's area of operation unless such travel is directly project-related or is specifically requested by a Member of Congress.

SEC. 108. Of the funds provided for "Olmsted Locks and Dam, Ohio River, IL & KY" in the table under the heading "Corps of Engineers—Civil—Construction" in the report of the Committee on Appropriations accompanying this Act, not more than 50 percent may be available for obligation until—

(1) the Corps of Engineers completes a review of the project, including method of construction;

(2) the Corps of Engineers develops a plan for the expeditious completion of project construction;

(3) the findings of the review and the project completion plan have been communicated to the appropriate committees of the Congress.

SEC. 109. Amounts made available by this Act for the "Investigations", "Construction", and "Operation and Maintenance" accounts of the Corps of Engineers may not be used as provided under the heading "Additional Funding for Ongoing Work" in the matter relating to each such account in the report of the Committee on Appropriations to accompany this Act until the report required under such heading is submitted.

SEC. 110. None of the funds made available by this Act or any subsequent Act making appropriations for Energy and Water Development may be used by the Corps of Engineers to develop, adopt, implement, administer, or enforce a change or supplement to the rule dated November 13, 1986, or guidance documents dated January 15, 2003, and December 2, 2008, pertaining to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

AMENDMENT OFFERED BY MR. MORAN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, beginning on line 6, strike section 110.

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

Mr. MORAN. Mr. Chairman, as the Clerk read, this would strike section 110 of this bill.

This is a legislative rider that is bad policy and does not belong in an appropriations bill. This rider, 110, permanently blocks the Army Corps of Engineers from fixing existing policies that are confusing and inconsistent and not working. It risks great harm to fresh sources of drinking water, and it jeopardizes flood protection and outdoor recreation, specifically because section 110 prohibits the Army Corps from clarifying the limits of Federal and State authority under the Clean Water Act.

Mr. Chairman, two Supreme Court cases over the last decade addressed the scope of the Federal Government's authority under the Clean Water Act. The Court's rulings did not require less regulation and protections, but urged the Congress and the executive branch to provide a sound rationale and consistency to clarify the limits of Federal authority. The Corps and the EPA have now issued draft guidance clarifying Federal authority that adheres to the Court's rules. Congress, by contrast, has not.

With this rider, Congress is about to make matters much worse—worse because blocking completion of the guidance and any subsequent regulations which the bill's rider would do would be bad for the public's health, bad for businesses, and bad for farmers. It's especially bad for 117 million Americans whose drinking water comes from headwaters and non-perennial streams. Shouldn't we be concerned about what toxic material is dumped into these streams?

It's bad for American businesses who need certainty. Without updated guidance, businesses will often not know when they need a Corps' permit in order to develop land.

□ 1000

This uncertainty could subject them to civil and criminal liability, and certainly will cost them extra money.

It's bad for farmers because this rider eliminates the agricultural exclusion for prior converted cropland that was added to the waters of the United States rule at the farmers' request.

Section 110 invalidates all rules issued after the rule dated November 13, 1986, but not until 1993 did the Corps and EPA define the waters of the U.S. to exclude "prior converted cropland."

Claims that Federal guidance and regulations are unnecessary because of State clean water programs are wrong as well. Thirty-three States joined a brief in the most recent of the Supreme Court cases urging the Court to uphold

Federal protections for wetlands adjacent to non-navigable streams. States noted that Federal safeguards were critical (A) because water flows between States, (B) because maintaining a Federal floor of pollution control creates parity between States, and (C) because States have come to rely on Federal protections and would face serious administrative and financial burdens if they were solely responsible for these requirements.

Finally, even though the rider may block the guidance clarifying Federal and State authority, it does not make the Clean Water Act requirements for a permit go away. States are still required to implement and enforce the law, and dischargers still must obey it. Likewise, third parties may still file lawsuits.

The real consequence of this rider will be to frustrate the Federal Government's efforts to explain where State or Federal authority under the Clean Water Act ceases to exist. If this rider prevails, more lawsuits will ensue.

So I urge my colleagues to vote to strike this rider to bring clarity to a confusing issue.

Let me say, Mr. Chairman, that many of the groups involved have finally come together and realized that they need clarity on a very difficult issue. There are times when water goes underground during the summer and the surface dries up, but that water is still present, and much of that water is interstate. You need Federal control.

One of the biggest things that I think perhaps the gentleman may not be aware of is the fact that this rider, if it is passed in this bill, would eliminate the agricultural exclusion for prior converted cropland. The fact is that this rider invalidates all rules that were issued after November 13, 1986, and it wasn't until 1993 that the Corps and EPA defined the waters of the U.S. to exclude prior converted cropland. So a lot of the farm community is going to be very upset if the gentleman's rider is not removed. And the fact that 33 States have joined a brief asking the Federal Government to do what the EPA and the Federal Corps of Engineers is doing means that we are going to cause major problems if this rider is passed in this bill.

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

Mr. REHBERG. I move to strike the last word.

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

Mr. REHBERG. Mr. Chairman, you heard it here first. My urban colleague says the Federal Government wants to control your water on private property in rural areas like Montana.

The life of a Montana farmer is hard, up before the sun rises, working all day just to make ends meet. Between the cycle of plowing, planting, and harvesting, there are tractors to fix, barns to repair, and products to bring to market. The last thing any Montana farmer needs is another Federal mandate to

follow, more red tape to cut through, and more Federal paperwork to fill out.

This country was founded by farmers. They understood from personal experience that farming is a full-time job and you can't do it right if you only do it part of the time. So the Framers of the Constitution set up a representative government that lets farmers elect men and women to fight on their behalf so they can go about their business.

The House of Representatives was meant to be the closest to the people. It's not just our privilege to stand up for our Constitution; it's our constitutional duty.

The Constitution delegates legislative power to the Congress, but lately, President Obama has, in too many cases, tried to circumvent the constitutional separation of powers. Congress managed to prevent the disastrous cap-and-trade energy tax from becoming law, so President Obama expanded the definition of a harmful pollutant in the Clean Air Act to include carbon dioxide, the stuff that we exhale.

Congress blocked the massive legislation landgrabs like the Northern Rockies Ecosystem Protection Act, so the Obama administration crafts secret plans to designate 13 million acres as national monuments using the Antiquities Act. The Antiquities Act, by the way, was passed to protect archaeological sites.

And now the Obama administration is looking to expand its reach, over the objections of both the Congress and the Supreme Court, to control water, all water everywhere.

You know, if there's one resource that's more important to dryland farmers than time, it's water. And in arid States like Montana, where we've got plenty of land, there's lots of dirt between light bulbs. The difference between feast and famine can be a little bit of water. And now some folks in the Federal Government want to get involved.

It's been a long fight. Let me show you how we got there.

Back in 2001 and 2003, the Supreme Court limited the authority of the Federal Government to regulate water. Unelected bureaucrats were trying to control water, all water, including melted snow, mud puddles and prairie potholes and irrigation ditches. But the Supreme Court said no.

This makes sense. There is a role for the Federal Government. We want clean water and a safe environment. But living in Montana means you live off the land. It means you grew up learning how to take care of your environment. In fact, Montanans were some of the first conservationists. But the role of government is not unlimited. We don't need the Federal Government thinking for us, and we don't need the Federal Government to tell us how to take care of our irrigation ditches.

The Clean Water Act gives the Federal Government authority to regulate navigable waters of the United States.

President Obama and his allies in Congress are trying to eliminate the requirement that waterways be navigable. Simply eliminating that word gives the Federal Government nearly unlimited power. Fortunately, those legislative efforts have failed.

So in December 2010, the Corps of Engineers crafted a plan to identify water subject to jurisdiction under the Clean Water Act. The goal is to significantly expand Federal jurisdiction over water. The Obama administration and his allies are trying to solve a problem that does not exist.

Fortunately, the Constitution provides a check to the Obama administration's power grab. Montana farmers have a safety net—the House of Representatives. It's our job to fight this battle so that they don't have to. It's our job to act as a check and balance to over-reaching executive actions.

That's what this language does. It simply prevents the President from carrying out his plans. It ensures that when a farmer wakes up before the sun rises, they don't have to worry about onerous Federal regulation. They can just go to work on their farm. That's what the Founding Fathers would have wanted, and that's why I hope you'll join me in opposing this amendment.

I yield back the balance of my time.

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

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

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

Mr. DINGELL. I want to begin by expressing great respect and affection for my friend from Montana who has just spoken. It was a fine speech, but it has nothing to do with the issues before us.

What the committee, in this legislation, has done has been to simply assure that the Corps of Engineers may not put forth guidelines clarifying the law as it was enunciated by the Supreme Court in the case that we are discussing in connection with the Clean Water Act.

It does something more. It fixes it so that farmers will lose certain protections which have been put in for their benefit by the law. And you're going to find, as my friend from Maryland has so wisely observed, that you are going to hurt a bunch of American farming public by denying them a protection which has been given them. Citizens, under the language of the committee bill, will have no way of knowing what the law is or how it is interpreted by the committee.

It is not an issue before us today whether or not you agree with the Clean Water Act. The question is, simply: Is the Corps of Engineers going to be able to tell people what the law is and how it is to be interpreted by the Corps and how citizens will then have to behave?

□ 1010

Under the law, the amendment simply says the Corps may inform people of what the law, as set forth in the Supreme Court's rulings, means. I think that is something which is important in terms of seeing to it that people may go forward with their planning, with economic development and everything of that sort.

It is not wise to deny citizens this kind of information. It is extremely unwise to deny business the opportunity to know what it is they must do to comply with the law as enunciated by the Supreme Court. The amendment makes great sense. The bill, as written, simply re-fights an issue that is not before this body at this time. I hate to see the kind of confusion that is being inflicted upon this body by a simple misunderstanding of what the law is, what the bill does, and what the amendment does.

I urge my colleagues to support the amendment. If you want clarity, if you want people to know how to comply with the law as set forth by the Supreme Court, adopt the amendment. If you want confusion and if you want misfortune to be visited on farmers and the public and confusion to afflict economic development and business, then support the bill as it is and oppose the amendment.

There is a tremendous lack of wisdom here in this fight. Let us understand the issue that plagues us, which is simply whether or not the Corps of Engineers is going to be able to tell people what the law is. At issue is not any change in the law. The amendment accepts the fact that the Supreme Court has made a decision. I happen to strongly disagree with that decision by the Supreme Court. Unfortunately, I am going to have to wait until some future time to come down and attack what is clear misbehavior by the Supreme Court. I was on the floor and had a colloquy with the management of the legislation at the time the bill was passed, and the Supreme Court has clearly disregarded and ignored the legislative history and, worse than that, the clear language of the bill. That issue is not before us today.

What is before us today is simply: Are the Corps of Engineers and the U.S. Government going to be able to tell the people what the law is as set forth by the Supreme Court?

To say anything else about this legislation is either to be misled or to mislead. I would beg my colleagues to vote in favor of the intelligent approach of seeing to it that we are going to allow people to know what the law is and allow the Corps of Engineers to set out what the law is for the benefit of business, industry, and people.

I yield back the balance of my time.

Mr. Chair, I rise in support of the Moran-Dingell amendment which will protect not only the Clean Water Act but also the power and integrity of the United States Congress.

When the Clean Water Act was passed, I stood on the floor of this House as one of its

authors and explained the intent of the Conference Report on the Clean Water Act in a colloquy with Representative Jim Wright of Texas, who was managing the bill. I said, "the conference bill defines the term 'navigable waters' broadly for water quality purposes. It means all 'the waters of the United States' in a geographical sense. It does not mean the 'navigable waters of the United States' in the technical sense as we sometimes see in some laws."

In 2006, the Supreme Court significantly restricted the original Congressional intent of the Federal government's authority under the Clean Water Act. The Supreme Court completely ignored Congress' intent to provide a broader definition of "U.S. waters" and instead upended 35 years of precedence simply because they refused to properly review the legislative history of laws made on this floor by those managing the bill.

Because of the Supreme Court's misguided decision, the Army Corps of Engineers is working on new guidelines that will take into account the decision of the Court and define what their new jurisdiction will be under the Clean Water Act. This is not a massive expansion of power by the Corps as some would have the House believe. This is simply an honest attempt to comply with the Supreme Court's decision.

By preventing the Corps from spending any funds to implement these new guidelines, this House would be casting a dark pall of uncertainty over the country. If someone wants to build a home or new business near a wetland or other body of water, do they need to consult with the Army Corps of Engineers before doing so? The language in this bill would not answer that question and would lead to more costs and confusion to that homeowner or businessperson in legal and court fees. The language in this bill would lead to more court battles and create a wonderful mess that would lead to lawyers making plenty of money.

I ask my colleagues to not let the Supreme Court to blatantly ignore established Congressional intent and to instead allow the Army Corps of Engineers to do the work we told them to do and to implement new guidelines conforming to the court's decision.

Please vote for the Moran-Dingell Amendment.

Mr. GIBBS. I move to strike the last word.

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

Mr. GIBBS. I rise today in strong opposition to this amendment.

My friends on the other side of the aisle are absolutely right in that, currently, there is an assault going on with regard to the Clean Water Act; but it is not by us, rather by this administration. We are not trying to roll back the Clean Water Act but, instead, allow it to work as it was written.

This administration is currently trying to circumvent congressional intent and expand the scope of the law beyond its drafted words. This guidance would substantially change the Agency's policy on waters subject to the jurisdiction under the Clean Water Act, undermine the regulatory community's rights and obligations under the Clean Water Act, and erode the Federal-State

partnership that has long existed between the States and the Federal Government in implementing the Clean Water Act.

By developing this guidance, the Agencies have ignored calls from State agencies and environmental groups, among others, to proceed through the normal rulemaking procedures; and they have avoided consulting with the States, which are supposed to be the agencies partnering in and implementing the Clean Water Act. The agencies cannot circumvent the Administrative Procedure Act through this guidance or change the scope and meaning of the Clean Water Act or the statute's implementing regulations.

If the administration and the Members on the other side of the aisle seek statutory changes in the Clean Water Act, then a proposal must be submitted here in Congress for legislative action, and we should have a healthy debate. Until that time, we must stop this current process.

Also, I would like to add to the gentleman's earlier comments in that I think the intent of the Clean Water Act passed constitutional muster because of the word "navigable" in the Interstate Commerce Clause. This guidance put out essentially circumvents the word "navigable," so I have to raise a question of the constitutionality of this type of amendment.

I urge strong opposition to this amendment, and I yield back the balance of my time.

Ms. EDWARDS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Maryland is recognized for 5 minutes.

Ms. EDWARDS. Mr. Chairman, I rise in support of my colleague Mr. MORAN's amendment to strike this rider in the fiscal year 2013 Energy and Water Development Appropriations Act. For 40 years, the Clean Water Act has helped remove pollution from our drinking water and protect our precious natural resources.

The act regulates the discharge of pollution into navigable waters; but put simply, it makes sure that a glass of water you get from the tap or the fish you catch in any fishing hole or river isn't contaminated by pollutants. Now, some of my colleagues on the other side of the aisle forget that, before the Clean Water Act was passed, rivers caught on fire; oil spills in inland waters were rampant; and few communities had modern wastewater treatment facilities.

The ill-conceived rider in this bill would have a severe impact on my home State of Maryland. In fact, the EPA estimates that 55 percent of the streams in Maryland either do not flow year-round or are "first order" headwater streams. These are waters most vulnerable to pollution or destruction if the Army Corps and EPA are not able to adopt policies to restore the longstanding protections for these

waters. Without these protections, sewage and industrial waste discharges, oil spills and completely filling in streams for development may not be subject to Federal law even when streams provide drinking water, as they do in the Fourth Congressional District of Maryland.

The EPA says that 3,990,016 people in Maryland receive some of their drinking water from areas containing these smaller streams. In Montgomery County alone, 1,846,500 residents are at risk of having their drinking water polluted. These residents use surface water supplied by public drinking water systems that rely on smaller streams that are at risk of losing clean water protections. Also, many waters in Maryland, from small streams to the Chesapeake Bay, are interstate waters. Without strong Federal safeguards for waters of the United States, those States that want to or are able to take State-level steps to protect waters will be unsuccessful.

Even with the Clean Water Act, the Potomac River—I live on the banks of the Potomac River—is listed as the most endangered river by the group American Rivers as part of their America's Most Endangered Rivers of 2012. The river receives this inauspicious award because it's polluted by agriculture runoff, sewage runoff from roadways and from enough pharmaceuticals that male fish have been caught with female characteristics. The Anacostia River, which also flows through my district, is polluted by trash, sewage, and other contaminants. A cleanup of the Anacostia is slowly taking place due in no small part to the guidance provided under the Clean Water Act. Urban rivers like the Potomac and Anacostia are affected by runoff from streets and parking structures.

I want to pause here for a minute because all of us here in this Capitol receive our water, our tap water and our drinking water, from those waters that I am talking about, from the Anacostia and the Potomac. So keep that in mind, Members of Congress, when you're drinking a glass of water.

It's one of the many reasons that I favor public transportation, transit-oriented development, and bike riding. Our air and water are protected when we make smart transportation decisions, and I have to say that we haven't made a single smart transportation and jobs decision in this Congress since the Republicans took over. This is why I support a bipartisan and Senate-passed MAP-21 and hope that the conferees agree to a report that reflects the priorities in that bill, because that's about protecting our drinking water.

So let's be clear about what's at stake. The Clean Water Act protects almost 60 percent of U.S. streams, and that's why 33 States joined a brief in the most recent Supreme Court case on the issue urging the Court to uphold Federal protections for wetlands adjacent to non-navigable tributaries.

□ 1020

These States noted that Federal safeguards were critical because water flows between States, because maintaining a Federal floor of pollution control creates parity among States, and because States have come to rely on Federal protections and would face significant administrative and financial burdens if they were solely responsible for these requirements. Now the success of the Clean Water Act is being threatened by a dirty-water rider attached to the FY 2013 Energy and Water appropriations bill.

I hope you'll join with me and millions of people across the country to stand up for clean water, for safe drinking water, for the health of fishermen, and for fish and wildlife. Future generations will not remember the industries we've made slightly wealthier by rolling back this bipartisan passed bill, but our future generations will know that we are the reason their drinking water is making them sick.

I urge my colleagues to vote for the Moran-Dingell amendment and to strike this dangerous and reckless rider.

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

Mrs. EMERSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Missouri is recognized for 5 minutes.

Mrs. EMERSON. Mr. Chair, I have to rise in strong opposition to my friend's amendment.

Today, the EPA and the Corps of Engineers are writing guidance in order to dramatically expand the reach of the Clean Water Act and the Federal Water Pollution Control Act. The EPA and Corps' understanding of waters of the United States would grow to encompass—in my rural district and a lot of rural districts all over this country—dry ditches, culverts, and—who knows—swimming pools and snow, as well.

This guidance is called "Identification of Waters Protected by the Clean Water Act," and it's clear that the draft guidance, which has already been published, says it is not a rule and it is not binding. But let me tell you what's happened in my congressional district. Number one, this guidance is actually causing already the Corps of Engineers to fine a couple of people in my congressional district who supposedly have dry ditches on their property, and they are about 10 different streams removed from the Mississippi River, perhaps. Only when it rains does it stay wet for a day. These people are being told that they're going to have to pay hefty fines unless they stop the development of this particular area on their land. This is absolutely the craziest thing I've ever heard. Nobody is talking about impacting your clean water. This is out in the country. This is in rural areas. This is where there hasn't been a stream running in 100 years. Why that would be called a navigable water is beyond me.

The language included in the underlying bill is just simply going to stop the Corps, along with the EPA, from expanding their regulatory reach. And as I said, it's going to drastically be expanded to include culverts, dry ditches, and the rain falling on our fields. God knows there's going to be a mud puddle there, and it's suddenly going to become a navigable water because you might be able to put somebody with an inner tube in there in the puddle in the yard to be able to swim until it dries up.

Come on. Let's use sound science. Let's use some common sense. Let's follow proper rulemaking. The last thing we need to do is to continue to increase the power of the Federal Government. And this amendment under consideration—and I love my colleagues who are offering it—would further empower the regulatory agencies, and it would endanger more than anything else our private property rights.

Mr. Chair, I urge my colleagues to support private property rights and join me in demanding transparency and accountability of our regulatory agencies. I urge my colleagues to vote "no" to defeat this amendment.

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

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

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

Mr. VISCLOSKY. Mr. Chairman, I rise in strong support of Mr. MORAN's amendment and would point out that I think the gentleman from Michigan in his earlier remarks hit the nail on the head. This is an issue of clarity versus confusion.

The fact is we have become the "Congress of Confusion." We are charged with running a Nation of 300 million people with domestic and international responsibilities. We have now confused the physician community of the United States more than 17 times—sometimes at a 2-week interval—as to what the reimbursements are going to be under the Medicare program. We have people who have suffered loss of life, significant property damage, and dislocation through floods in our Nation. We are unable as an institution to resolve our differences on flood insurance and have continued it—if I am correct—at least 11 times. The fact is we have an infrastructure, as far as our highways and bridges, that is crumbling. We have now eight or nine times continued that because we cannot make a decision, and we continue to confuse the States, contractors, and our communities as to what the policy of the United States Government is going to be. And depending on what year you died, the last four years—including 2012—this Nation has had three different estate-tax laws, and the current one expires at the end of this year, leading to confusion and the hiring of numerous accountants, insurance agents, and attorneys, all of whom I love.

Why confuse this Nation more by not adopting the clarity of the Moran amendment? There is no question that the two Supreme Court decisions have significantly confused this issue and created uncertainty as to the scope of the Clean Water Act. During multiple hearings before the Committee on Transportation and Infrastructure, witness after witness spoke of how these cases have blurred the lines on what the waters subject to Federal protection are.

The reason in short is because in neither case could the majority of Supreme Court justices agree on what was the appropriate test for determining the scope of Federal protections based on their reading of the term "navigable." No majority or the court could agree what navigable means. In fact, in one of the cases the level of confusion on the court is reflected in that there are five separate opinions filed in the case with no opinion having more than four supporters on the Supreme Court of the United States.

The resulting confusion in interpreting the Clean Water Act is apparent to both the regulated community and regulators. The fact is, the industry has asked for clarification of this confusion through agency rulemaking. The gentlewoman mentioned that we need a rule in this. We do need a clarified rule. However, this legislative rider that is in the bill proposes the status quo of confusion and that that is acceptable. It will only result in increased implementation costs to the Federal Government, to the States, and to the regulated community. It will increase delays in the implementation of important public works projects and protracted litigation on the disparity of this language.

We need to adopt Mr. MORAN's amendment to ensure that we have clarity. We should be taking actions to address the legitimate concerns that have been expressed. But the fact is this is an issue that Congress and the administration needs to address in the authorizing process to clarify it. This is not an issue that should be continued in confusion and perpetuity through the appropriations process.

Again, I strongly support the gentleman's amendment, and I yield back the balance of my time.

Mr. FITZPATRICK. Mr. Chairman, I move to strike the last word.

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

Mr. FITZPATRICK. Mr. Chairman, I rise in support of the amendment and urge my colleagues to support a clarification of the Clean Water Act.

Mr. Chairman, Republican administrators of the EPA—from William Reilly to Russell Train—have all expressed support for protecting our streams, rivers, wetlands, lakes, and other waters of the United States from pollution and from destruction. The rider in this bill will perpetuate the

current confusing and cumbersome bureaucratic situation.

□ 1030

I would suggest it's time to take a step forward, not take a step backward, and I urge my colleagues to oppose the rider and to support the amendment.

I yield back the balance of my time.

Mr. DICKS. I move to strike the last word.

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

Mr. DICKS. I received a letter from the American Fisheries Society, the American Fly Fishing Trade Association, the Sportfishing Association, Backcountry Hunters and Anglers. I think these are very important groups. As a westerner, I pay attention to these people. It says:

MARCH 30, 2012.

DEAR REPRESENTATIVE: As sportsman-conservation organizations representing millions of hunters, boaters, and anglers nationwide, we ask you to oppose any legislation that would block the administration's very deliberate and vital action to clarify and restore long-standing Clean Water Act protections for streams and wetlands across the country. We reaffirm our support for Clean Water Act guidance currently being reviewed and finalized in an interagency process coordinated by the Office of Management and Budget (OMB).

Sportsmen rely on clean water to ensure the opportunity to enjoy hunting, angling, and other outdoor-based recreation (and business) in the great outdoors. When wetlands are drained and filled and streams are polluted, sportsmen are often the first to be directly impacted. Consequently, hunters, boaters, and anglers have consistently advocated for conserving our nation's waters.

Since 2001, U.S. Supreme Court decisions in SWANCC (2001) and Rapanos (2006), along with 2003 and 2008 agency guidance that is inconsistent with those decisions and the related science, have combined to erode long-standing Clean Water Act safeguards for headwater streams and critical wetlands.

Headwater and intermittently flowing streams comprise 59 percent of all stream miles in the continental United States, and are particularly vulnerable under the decisions and existing agency guidance. At-risk wetlands and tributaries provide clean water for iconic systems such as the Mississippi River Delta and the Chesapeake Bay. They recharge aquifers like the Ogallala, help retain floodwaters in areas such as the Prairie Pothole region and Missouri River Basin, and provide important fish and wildlife habitat throughout the nation. According to the U.S. Fish and Wildlife Service (FWS), prairie pothole wetlands in the northern Great Plains, together with similar wetlands in southern Canada, produce 50 to 70 percent of all North American ducks. However, in its most recent report on the status of wetlands nationwide, the FWS found the rate of wetland loss jumped 140 percent between 2004 and 2009. As these waters are polluted and diminished, their ecological, public health, and recreational benefits are lost, as well.

As we all work to create jobs and support economic recovery, we should nurture rather than neglect the economic benefits of hunting, angling, and other outdoor recreation. Hunting, boating, and angling have a tremendously positive impact on the nation's economy, including in rural communities, and support millions of jobs across the country. Consider the following:

Using data from the FWS, the American Sportfishing Association estimates angling generates \$125 billion in annual economic activity and supports more than 1 million jobs. Using similar information, the Congressional Sportsmen's Foundation estimates hunters contribute nearly \$25 billion to the economy, which supports 600,000 jobs.

Data from the National Marine Manufacturers Association indicates that recreational boating contributes over \$41 billion and 337,000 jobs to the U.S. economy.

The FWS reports duck hunting alone generates \$2.3 billion for the economy every year and supports 27,000 private sector jobs.

In order to effectively safeguard key components of our economy, the sports and traditions that millions of Americans enjoy, and the health and integrity of some of our most important fish and wildlife resources, it is essential to act now to restore lost Clean Water Act protections consistent with existing law and science.

The Army Corps of Engineers and Environmental Protection Agency (EPA) proposed new guidance last spring for determining Clean Water Act jurisdiction. The draft guidance is science-based and clearly respects the Supreme Court's decisions. Over the course of three months last summer, the agencies conducted an almost unprecedented public engagement process for a guidance document. More than 200,000 Americans commented and EPA has reported that the clear majority of those comments support the proposed guidance. During this process, more than 250 hunting, angling, and conservation groups from 28 states also weighed in backing the guidance and subsequent rulemaking.

To complete this process the guidance must be finalized as a first step in affirming longstanding clean water protections for many wetlands and streams. This guidance importantly maintains existing exemptions for normal agricultural activity. At the same time, it will provide increased clarity and consistency that is badly needed by land owners, developers, conservationists, and state and federal agencies alike. We urge you to support—and not oppose—this important first step.

As a follow-up to final guidance, we also support agency action to further clarify and strengthen the regulatory definition of "waters of the United States." There is widespread agreement among groups across the spectrum about the inherent value of rulemaking to address critical aspects of this issue. In closing, we urge you to support—and not oppose—the important and careful steps being taken by the administration to clarify and affirm long-standing protections for wetlands and streams across the United States.

Respectfully,

Gus Rassam, Executive Director, American Fisheries Society; Randi Swisher, President, American Fly Fishing Trade Association; Gordon Robertson, Vice President, Government Affairs, American Sportfishing Association; Jim Akenson, Executive Director, Backcountry Hunters and Anglers; Bruce Akin, Chief Executive Officer, BASS, LLC.; Jim Martin, Conservation Director, Berkley Conservation Institute; Rob Olson, President, Delta Waterfowl; David Hoskins, Executive Director, Izaak Walton League of America; Thom Dammrich, President, National Marine Manufacturers Association; Larry Schweiger, President and CEO, National Wildlife Federation; Paul Krausman, CWD, President, The Wildlife Society; Whit Fosburgh, President and CEO, Theodore Roosevelt Conservation Partnership; Chris Wood,

President, Trout Unlimited; Steve Williams, President, Wildlife Management Institute.

So that's why we must today enact the Moran amendment that takes out the language unfortunately added in full committee on this subject. It is the right thing to do. It is the right thing to do. From an environmental perspective and from a hunter, fisherman, outdoor recreational perspective, it's necessary to protect our future.

I yield back the balance of my time.

Mr. SIMPSON. I move to strike the last word.

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

Mr. SIMPSON. I thank the chairman for his recognition. I don't have the letter to read, but listen, the only argument that's being made here that makes any sense is we have got to bring clarity to this issue. We have got to bring clarity to the confusion of this issue.

Well, I will tell you that a hanging is clarity, but it's not necessarily the right option. That's essentially what we're doing here. We're giving control of all these waters that have traditionally been in the control of the States to the Federal Government. And I will tell you, we will have an opportunity to debate this same issue again on the Interior bill dealing with the EPA. This deals with the Army Corps of Engineers.

The fact is is that you don't need this to clarify this, the policies proposed by the Army Corps of Engineers. You can clarify it by legislatively defining what "navigable" means. If the Supreme Court has a problem trying to decide what "navigable" means, then let's address that so we know what we intend by that.

The argument is made repeatedly by some of those that have supported this amendment, whether you are from Virginia or Maryland, and I will tell you, if you want in Virginia or Maryland or Washington or Michigan, the Army Corps of Engineers and the EPA to control every drop of water that falls on your State, I'll help you do it. Let's write legislation to do that so that you guys can have the clarity of the EPA and the Army Corps of Engineers. But in western States, we actually protect those waters by State law. What you are trying to do is exempt State law or override State law and have the Federal Government take control of these. That's just flat wrong.

If you don't think Virginia protects its headwaters enough, then put a bill in to allow the EPA and the Army Corps to control every drop of water that falls in the State of Virginia. You don't need this to bring clarity to this, and the States are doing a good job that do State regulations of headwaters.

Mr. MORAN. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman.

Mr. MORAN. I would like to ask the gentleman what we do about waters that are interstate, they flow down.

Mr. SIMPSON. Well, let me answer that question for you.

Mr. MORAN. Yes, please.

Mr. SIMPSON. If there are waters that the State is not regulating and they will eventually flow into navigable waters, and the only way to control the pollution in those navigable waters—the State is going to ultimately start controlling those headwaters if they're not doing their jobs.

You seem to think that States have no ability to control the State waters that are under State control. They do have the ability to control those State waters, and they do a good job of it in most States. I'm not sure about Virginia. I haven't followed Virginia.

Mr. MORAN. But I suggest to the gentleman, they use the Federal definition in order to enforce the quality of the water coming from other States. That's the problem.

Mr. SIMPSON. The point is that they become navigable waters at some point. If they are being polluted by waters that are controlled by the States, eventually the State is going to have to say, You know what, we have got to get control of this; otherwise, we're going to have problems downstream.

Mr. MORAN. How do they control water from another State?

Mr. SIMPSON. You seem to think that the only way to address this problem is to have a Federal bureaucracy. You know what, we could bring clarity to all of our problems by just eliminating the States. Why have States? Why not have everything under Federal control? That makes sense, because everything goes from State to State eventually. It makes no sense to me.

This does not bring clarity to the situation and it does not help in the regulation of our Clean Water Act. This does not make the waters of the United States cleaner. All it does is give more authority to the Army Corps of Engineers and the EPA.

□ 1040

If you want to bring charity, then bring a bill down here to define what navigable means. And you can do that. As I said, a hanging is clarity—not necessarily the best outcome.

I yield back the balance of my time.

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

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

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

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

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 111. As of the date of enactment of this Act and thereafter, the Secretary of the

Army shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm, including an assembled or functional firearm, at a water resources development project covered under section 327.0 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act), if—

(1) the individual is not otherwise prohibited by law from possessing the firearm; and

(2) the possession of the firearm is in compliance with the law of the State in which the water resources development project is located.

TITLE II—DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, \$19,700,000, to remain available until expended, of which \$1,200,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission. In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, \$1,300,000.

For fiscal year 2013, the Commission may use an amount not to exceed \$1,500,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, \$833,635,000, to remain available until expended, of which \$29,000 shall be available for transfer to the Upper Colorado River Basin Fund and \$6,985,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: *Provided*, That such transfers may be increased or decreased within the overall appropriation under this heading: *Provided further*, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 6806 shall be derived from that Fund or account: *Provided further*, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: *Provided further*, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further*, That of the amounts provided herein, funds may be used for high priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, \$39,883,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3),

and 3405(f) of Public Law 102-575, to remain available until expended: *Provided*, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102-575: *Provided further*, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

CALIFORNIA BAY-DELTA RESTORATION

(INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, \$36,000,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of other participating Federal agencies to carry out authorized purposes: *Provided*, That funds appropriated herein may be used for the Federal share of the costs of CALFED Program management: *Provided further*, That the use of any funds provided to the California Bay-Delta Authority for program-wide management and oversight activities shall be subject to the approval of the Secretary of the Interior: *Provided further*, That CALFED implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the Office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until September 30, 2014, \$57,000,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed five passenger motor vehicles, which are for replacement only.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by this Act;

(4) restarts or resumes any program, project or activity for which funds are not provided in this Act, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate;

(5) transfers funds in excess of the following limits—

(A) 15 percent for any program, project or activity for which \$2,000,000 or more is available at the beginning of the fiscal year; or

(B) \$300,000 for any program, project or activity for which less than \$2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than \$500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources

Management and Development category to any program, project, or activity in the other category; or

(7) transfers, when necessary to discharge legal obligations of the Bureau of Reclamation, more than \$5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments.

(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.

(c) For purposes of this section, the term "transfer" means any movement of funds into or out of a program, project, or activity.

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of the House of Representatives and the Senate detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the "Cleanup Program-Alternative Repayment Plan" and the "SJVDP-Alternative Repayment Plan" described in the report entitled "Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995", prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

TITLE III—DEPARTMENT OF ENERGY ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY (INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,450,960,000 to remain available until expended: *Provided*, That of such amount, \$115,000,000 shall be available until September 30, 2014, for program direction: *Provided further*, That for the purposes of allocating weatherization assistance funds to States and tribes during fiscal year 2013, the Secretary of Energy may waive the allocation formula established pursuant to section 414(a) of the Energy Conservation and Production Act (42 U.S.C. 6864(a)): *Provided further*, That of the unobligated balances from prior year appropriations available under this heading, \$69,667,000 is hereby per-

manently rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

AMENDMENT OFFERED BY MS. KAPTUR

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 20, line 15, after the dollar amount, insert "(increased by \$10,000,000)".

Page 28, line 16, after the dollar amount, insert "(reduced by \$10,000,000)".

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. I rise today to offer an amendment that takes another step toward restoring energy independence for America and new jobs for Americans. My amendment shifts an additional \$10 million for energy efficiency and renewable energy development from departmental administrative accounts. My goal is to better support a diversified energy portfolio and restore continental energy security.

American security and competitiveness hinge on affordable energy for our businesses and families, and our energy future depends on innovation. Fossil fuels continue to provide the bulk of our energy needs, and those accounts are left intact in this bill. But we all should know that a diversified energy portfolio protects America from the instability of a single source of energy dependence.

Our future security depends on diversified energy research and development that provides significant return on investment both financially and in technological advancement and the jobs that go with it. We must ensure that American innovators are on a level playing field with competitors across the globe, including China, and even Russia, and other nations looking for a competitive edge.

For years, the United States has been the global leader in these technologies, but we now are losing edge. Investment in energy efficiency and renewable energy technologies are absolutely essential in securing America's future.

Now, I understand the difficulty in drafting this bill, given the 302(b) allocation and the cuts for energy and water that the subcommittee endured. And I appreciate Chairman FRELINGHUYSEN and Ranking Member VISCLOSKY's dedication to making difficult choices in a tight budget climate. Yet for fiscal 2013, critical energy research accounts have been drastically reduced to \$1.38 billion that actually exacted a \$428 million cut below fiscal year 2012.

Compared to last year, for example, solar energy was cut nearly in half—to \$155 million—and wind energy, the fastest energy sector growing globally, was cut by one-quarter, to \$70 million for R&D. Other programs like geothermal, water power, and building energy technologies received similar large cuts.

Last year, this body came together in a bipartisan fashion to support a mod-

est increase in energy efficiency and renewable energy technologies; and faced with further cuts this year, I ask my colleagues to reaffirm that commitment to a diversified energy policy and lead our country, and indeed the world, toward a new energy age. In fact, this amendment increases funds for the renewable portion of our energy portfolio while maintaining the proposed increases for fossil fuel development. And from a budgetary and accounting standpoint, my amendment actually decreases outlays for fiscal year 2013.

Let me add, this \$10 million transfer we are proposing represents less than 1/20th of the \$230 million administrative budget of the Department of Energy. This is a prudent adjustment to our energy policy strategy. It is forward looking. It makes sense from a budgetary standpoint. It will spur new job creation. And I urge my colleagues' support.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise to oppose the gentlewoman's amendment. I appreciate my colleague's passion for solar energy. She has been a tireless supporter of American innovation in this energy and technological area. I also have the pleasure of serving with her on the Defense Appropriations Committee, and she's been an innovator and promoter of responsible energy policy with the Department of Defense as well.

But within tight budgets, we need to focus funding on our highest priorities, which is what we've done in our Energy and Water bill. To make room for our national security and infrastructure responsibility, our bill cuts energy efficiency and renewable energy by \$428 million and reprioritizes funds within the program to support American manufacturing and address rising gas prices. The focus is on jobs, the economy, and American manufacturing.

Our bill also preserves \$155 million for solar energy research that continues to advance American manufacturing and helps our companies compete globally. While I support activities that help American manufacturers compete, we cannot afford to add unnecessary funds to solar energy by cutting other important priorities.

Indeed, the amendment would cut departmental administration, a cut that we all know simply cannot be sustained in the final appropriation without jeopardizing the Department of Energy's ability to run and oversee their operation. They have enough management problems now. Reducing that management amount would make it difficult for them to run and oversee the problems that they really need to oversee.

So this amendment uses money we simply do not have. It has perhaps the

effect of crippling management by the Department. We need to live within our means. And I, regretfully, oppose the gentlewoman's amendment, and I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

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

□ 1050

Mr. VISCLOSKY. Mr. Chairman, I rise in strong support of the gentlewoman's amendment. There is \$10 million contained in her amendment. That is a significant sum of money. When compared, however, to current year level spending for the renewable accounts of \$1.825 billion, and as the chairman rightfully pointed out, a reduction of \$428 million from that account, the gentlewoman's amendment is as much a statement of Congress as it is a monetary initiative. That is, we need to make an investment in our energy future as well as our economic future.

Renewable energy must be a part of that future, and the vast majority of industries in our country throughout our history have received substantial support from the government to become established and to be part of this great Nation.

This amendment offered by the gentlewoman from Ohio takes a very small, but very positive, step towards making that investment, and I do urge my colleagues to join me in supporting the amendment; and I yield back the balance of my time.

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

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

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

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

AMENDMENT OFFERED BY MR. HULTGREN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 20, line 15, after the dollar amount, insert "(reduced by \$30,000,000)".

Page 26, line 2, after the dollar amount, insert "(increased by \$15,000,000)".

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

Mr. HULTGREN. Mr. Chairman, my amendment would transfer \$15 million from the Energy Efficiency and Renewable Energy research program to the Office of Science. It would also reduce the EERE account by an additional \$15 million, which could be put towards deficit reduction.

The Obama administration has consistently prioritized industrial policy,

under the guise of applied science, at the cost of reduced support for our Nation's critical basic science research and our national labs.

EERE's Advanced Manufacturing Office is \$35 million above current fiscal year 2012 levels. EERE's water technologies program is \$25 million above the President's budget request. EERE's vehicle technologies program is \$42 million above where it was just last year. EERE's solar technology program receives \$155 million, despite billions of dollars of recent loan guarantees to solar companies and several high-profile industry failures.

This amendment would remove \$15 million from the EERE account, which is spent on subsidizing solar power and wind energy, and move it back to the Office of Science, where I would hope report language could specifically target it for the high-energy physics program which is critical to our long-term economic success and scientific leadership.

At this time, I yield to the gentlewoman from South Dakota (Mrs. NOEM).

Mrs. NOEM. Mr. Chairman, I would like to thank the gentleman from Illinois for yielding to me, and I appreciate working with him on this important amendment.

This amendment would increase funding for the Office of Science by \$15 million while cutting an additional \$15 million from the underlying bill.

Mr. Chair, the field of high-energy physics is becoming increasingly competitive; and without critical deep underground research spaces, we will continue to put our historic leadership in this area at risk, while continuing to send our best and brightest overseas to conduct their research.

But we can compete. Just this week in my State of South Dakota, the Sanford Underground Research Facility dedicated the Davis campus—4,850 feet underground. Later this year, this campus is scheduled to hold a dark matter detector that after only 4 days of operation stands to add more to our knowledge than all previous dark matter research experiments. We're not talking about subsidies and giveaways for ideas that are years or decades down the road. This is cutting-edge science that's within our grasp.

We need to make tough choices in our current budget situation, but we also need to recognize the role that U.S. research plays in our ability to compete and to innovate. So I urge my colleagues to support our ability to lead the world in underground science in a fiscally responsible way, and I urge support of this amendment.

Mr. HULTGREN. Just briefly, Mr. Chairman, I urge adoption of this amendment. It does make sense. It's a commitment to basic scientific research and fiscal accountability, and I urge support of the amendment, and I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise very reluctantly to oppose the amendment. I do recognize the passion of the Members of Congress from Illinois and South Dakota who have spoken, and I may say repeatedly spoken and advocated to me over the last couple of months on behalf of the high-energy physics program and national laboratories in their congressional districts and, in fact, all relevant national laboratories that play a critical role in maintaining our Nation's scientific leadership and competitiveness. So I recognize their advocacy, I appreciate it, and I certainly will be working with them to do whatever we can to be of assistance.

We tried our very best in our bill to help those and all of the Department's remarkable national laboratories, but our constraints did not afford us the luxury of bringing more money to the table in many cases. Many labs wanted money, and these are remarkable labs, and they are deserving as well.

We did what we could for high-energy physics by shifting \$16 million into project engineering and design for the Long Baseline neutrino experiment. This allows the Department to move quickly in choosing a path forward for the program.

We also ensured that the Homestake mine, which is a remarkable mine and a remarkable structure and a national asset, has sufficient minimal funding to operate while that path forward is yet to be determined.

If more funding were available, we certainly would have brought more resources to bear. Unfortunately, the amendment finds resources by cutting a program—and we discussed this earlier—that has already been reduced by \$428 million. That's a 24 percent reduction from fiscal year 2012 and a 40 percent reduction below 2010.

I recognize—the committee recognizes—the importance of these programs, and I promise we'll work with our colleagues as we move forward in the appropriations process to be supportive and helpful, but I must reluctantly oppose the amendment.

I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

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

Mr. VISCLOSKY. Mr. Chairman, I also would rise in reluctant opposition to the gentleman's amendment. As a resident of the neighboring State, I realize all of the great scientific research that is done in the State of Illinois alone at some of our wonderful Federal facilities. There is no question that we need to invest in the science account, as evidenced by the fact it is in this bill. Again, we had a very difficult allocation. Science is cut by \$72,203,000.

But, unfortunately, I do think the gentleman's amendment is counterproductive in that he, because of the

budget rules, needs a \$30 million cut from renewable research to gain a \$15 million add for scientific research. Given the constraints we face, I think that's a bad bargain and we ought to leave the \$30 million right where it is and have that aptly applied.

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

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

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

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

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

AMENDMENT NO. 6 OFFERED BY MR. MCCLINTOCK

Mr. MCCLINTOCK. 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 20, line 15, after the dollar amount, insert "(reduced by \$1,450,960,000)".

Page 20, line 16, after the dollar amount, insert "(reduced by \$115,000,000)".

Page 56, line 24, after the dollar amount, insert "(increased by \$1,450,960,000)".

□ 1100

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

Mr. MCCLINTOCK. Mr. Chairman, this amendment saves nearly \$1.5 billion by ending the failed Energy Efficiency and Renewable Energy program.

If we're serious about an all-of-the-above energy policy, we have got to stop using taxpayer money to pick winners and losers based on political connections. Instead, we need to require every energy company to compete on its own merit as decided by the customers it attracts by offering better products at lower cost.

For too long we have suffered from the conceit that politicians can make better energy investments with taxpayer money than investors can make with their own money. It is this conceit that has produced the continuing spectacle of collapsing energy scandals epitomized by the Solyndra fiasco. At least Solyndra was funded from a loan program in which the public has a chance to get some of its money back when these dubious schemes go bankrupt. This program is direct spending that funds commercialization projects for ideologically pleasing technologies and the politically favored firms that make them, money that taxpayers have no chance of recovering after it's spent.

This amendment and the two that I will offer soon protect taxpayers from being forced into being venture capitalists by incompetent politicians. It gets government out of the energy business and requires all energy companies and

all energy technologies to compete equally and on their own merits.

Most of the money in this program goes to wind, solar, and car research development subsidies. We're told that's necessary to nurture these new and promising technologies. Well, these technologies are not new and they are not promising. Photovoltaic cells, for example, were invented by French physicist Edmund Becquerel in 1839, and in more than 170 years of technological research and innovation and billions of dollars of taxpayer subsidies we have not yet invented a more expensive way to produce electricity. So we hide its true costs to consumers through subsidies taken from their taxes.

Nor is there any earthly reason why taxpayers should be forced to serve as the research and development department for General Motors or for any other company or technology. We're told that, well, someday this research might pay us back many times over. We've been told that for 40 years. Now, I hope someday that these empty promises will be redeemed, but that's still not a reason for taxpayers to foot the bill. It's a reason for the actual research and development to be paid for by the companies that will profit from this long-promised breakthrough. And if they're not willing to finance it with their own money, we have no business forcing our constituents to finance it with theirs.

All we've accomplished with these programs is to take dollars that would have naturally flowed into the most effective and promising technologies and divert them instead to those that are politically favored. This misallocation of resources not only destroys jobs and productive ventures, it ends up minimizing our energy potential instead of maximizing it and destroying our wealth instead of creating it.

Madam Chairman, voters entrusted Republicans with the House majority with the very specific mandate to stop wasting money. Moreover, the House is where spending bills must originate. The government doesn't spend a dollar unless the House says that it will spend a dollar.

A day doesn't go by that we don't hear an indictment of Solyndra and its multiplying scandals, and yet here we have the Republican Energy appropriations bill that continues to shovel billions of dollars on the very same folly that produced Solyndra.

Politicians love to appear at ribbon cuttings and issue self-congratulatory press releases at government-supported "alternative energy" businesses, but they fall strangely silent when asked to actually account for the billions of our dollars that they've wasted. Well, that day of reckoning has arrived. These policies are impoverishing our country. Our taxpayers are exhausted. Our treasury is empty. It is past time that this House majority proved worthy of the trust the American people gave it more than a year and a half ago.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Madam Chairman, I move to strike the last word.

The Acting CHAIR (Mrs. CAPITO). The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Madam Chairman, I rise to oppose this amendment, which would eliminate the Office of Energy Efficiency and Renewable Energy at the Department of Energy.

This year, the committee continued fulfilling its responsibility to reduce government spending by eliminating ineffective and wasteful programs. Our bill cuts EERE by \$428 million. That's a 24 percent cut below fiscal year 2012, nearly 40 percent below 2010, and well below the 2000 level. Our bill slashes programs that are ineffective and cuts activities that improperly intervene in private markets.

The committee will continue its work to reduce spending and to keep the government out of private enterprise where private enterprise could make those substantial investments themselves.

I yield back the balance of my time.

Mr. VISCLOSKEY. Madam Chairman, I move to strike the last word.

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

Mr. VISCLOSKEY. I appreciate the recommendation and also rise in opposition to the gentleman's amendment, and will simply state that my objection is based on national security concerns.

The fact is, as the senior Senator from Indiana, Senator LUGAR has characterized our energy crisis for years, and I absolutely agree with him. The fact is the importation of petroleum products in our use of carbon, because of where we buy them, has created a significant national security issue for the United States of America.

One of the accounts in the renewable accounts that will be eliminated under the gentleman's amendment is vehicle technology. There is no question American citizens are suffering today because of high gas prices. I myself—and I only speak for myself—can't do anything about that particular price at the pump today. But if through the vehicle technology program and the wise investment of the Federal taxpayers dollars we can get every American another mile per gallon, we have removed some of their economic discomfort and burden. We have also helped to begin to ensure our national security by reducing our dependency on foreign oil. Therefore, I do strongly oppose the gentleman's amendment and yield back the balance of my time.

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

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

Mr. MCCLINTOCK. Madam Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. TONKO

Mr. TONKO. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 20, line 15, after the dollar amount insert "(increased by \$180,440,000)".

Page 30, line 5, after the dollar amount insert "(reduced by \$180,440,000)".

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. TONKO. Madam Chair, first I want to thank my colleagues, Representative BISHOP, Representative HIRONO, and Representative WELCH, for offering this amendment with me.

Madam Chair, the Tonko-Bishop-Hirono-Welch amendment is simple and straightforward. It increases funding for two important State energy efficiency programs in the Energy Efficiency and Renewable Energy accounts at the Department of Energy.

The amendment would increase spending for the Weatherization Assistance Program. Weatherization is the largest residential efficiency program in our Nation. Weatherization reduces energy costs for low-income families and the elderly and disabled. It creates jobs, invests in local businesses, and advances technology—state-of-the-art technology. Weatherizing homes under this program saves \$437 in annual utility bills for the average homeowner. These energy savings insulate families from rising energy costs by permanently lowering household energy demand for both heating and cooling.

Our amendment also restores funding to the State Energy Program, or SEP. SEP is the only cost-shared program administered by the United States Department of Energy that provides resources directly to the States to support their efforts in energy efficiency. This includes 56 State and territory energy offices. And, according to a study by the Oak Ridge National Laboratory, for every dollar in Federal SEP funds we have 1.03 million source Btus, along with the cost savings of \$7.22, and a leveraging of \$10.71 on that same very dollar.

Madam Chair, these programs traditionally have received strong bipartisan support. Saving money by saving energy is good—good for everyone.

The bill's deep cuts in weatherization programs from recent years' allocations is so-called "justified" in the report by the claim that there are large amounts of unspent funds from previous appropriations, including those from the American Recovery and Reinvestment Act, ARRA.

□ 1110

Well, the majority of these funds have, in fact, been allocated, and I understand they will be completely spent

by April 1 of next year, the beginning of the Weatherization Program year for States. So that means there will be little to nothing available by the time that FY13 funds get to these States.

The ARRA money and the money from fiscal year 2011 has been obligated in contracts to subgrantees. In addition to the cuts in weatherization in this bill, the other source of Federal funds for this program, 10 percent of LIHEAP funds, is also reduced due to the reductions in funding for that program.

We're going in the wrong direction. If someone can make the case that we have fully exploited all of our opportunities in weatherization or can demonstrate that we have done all that we can to make citizens' homes and businesses energy efficient, then winding down the program would perhaps be reasonable. But we are a long way from achieving that goal.

Energy we do not have to use is, in fact, the cheapest energy available to us. We need to be doing much more in efficiency, not less. Efficiency should be our fuel of choice.

This bill is skewed to reinforce our existing energy use patterns. It continues outsized investments in the established energy industries that have received generous Federal support for nearly a century while renewable energy technologies are shortchanged.

We should be lending Federal assistance where it is most needed: to individual citizens and to developing industries that are struggling to bring new energy technologies forward, such as solar, wind, and geothermal. The petroleum industry has the means to support its own research.

Madam Chair, we are likely to be reliant on fossil fuels for quite some time, and we should use these fuels wisely. An all-of-the-above strategy must include energy efficiency, and we should support States' efforts to encourage the adoption of new energy technologies and increase energy efficiency.

Let's continue our history of bipartisan support for programs that save money, create jobs, and improve our energy security. Weatherization and SEP are such programs worthy of our support. I urge adoption of this amendment.

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

Mr. FRELINGHUYSEN. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise to strongly oppose the gentleman's amendment. His amendment would put at risk our nuclear security activities, the things we're doing to modernize our nuclear stockpile, the type of investments we're making there that help protect our country. And we would be adding money to programs that, quite honestly, don't need the money. He referenced some of those programs.

The Weatherization Program has hundreds of millions of dollars in unspent money. Some of it's been obligated; some of it has not been obligated. But sitting in that program and in the State programs he referred to is a lot of Federal money from the stimulus and other prior appropriations that remains unspent. So it's not a question of not having enough money. They just haven't spent it down.

Our bill provides enough funding, new funding, that when combined with the unspent funds, our bill will fully fund each State at the fiscal year 2010 level. That's enough money for the States. More funding is unnecessary.

This amendment has unnecessary funding, adds unnecessary funding, and it cuts our security, our national security, things we need to do for our nuclear stockpile, and I strongly oppose it.

I yield back the balance of my time.

Mr. BISHOP of New York. Madam Chair, I move to strike the last word.

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

Mr. BISHOP of New York. Madam Chair, I rise to support the Tonko-Bishop-Hirono-Welch amendment, and I commend my good friend and fellow New Yorker on his steadfast commitment and long-standing leadership on this issue.

The increase to weatherization funding provided in this amendment brings the Weatherization Assistance Program funding close to its pre-Recovery Act levels, which helped States retrofit close to 100,000 homes a year. In addition, nearly 92 percent of the Recovery Act funds appropriated to the Weatherization Program have been spent, meaning that the recommended funding level in this bill will result in a majority of States receiving reduced Federal funding for weatherization. Arguments to the contrary with respect to available funds are simply not accurate.

New York has spent the entirety of its Recovery Act funds on time and under budget, weatherizing nearly 70,000 units, 20 percent, over its initial goal. On Long Island, the Community Development Corporation of Long Island weatherized 3,000 units, thanks to the Recovery Act, and has continued to spend down the regularly appropriated funds it receives to retrofit qualified homes.

Weatherization Assistance continues to be a successful program, and we must build on its success. Even after the Recovery Act and regular appropriations, the CDC of Long Island has a wait list of 8,000 qualified homes that could be retrofitted for energy efficiency. The demand is there. And this is just Long Island.

Adequately funding the Weatherization Assistance Program to meet this demand will have several positive effects on communities and the economy. It will reduce energy costs for homeowners, which is absolutely critical as these costs continue to climb. Perhaps

most important, it will put local contractors back to work retrofitting homes to be more energy efficient. This means job creation in local communities.

Most recognize that this is the time when Washington must balance spending reduction with wise investment. If we all agree that this Congress must do more to foster an environment of job creation, then I urge all of my colleagues to support this amendment.

I yield back the balance of my time.

Ms. HIRONO. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Hawaii is recognized for 5 minutes.

Ms. HIRONO. Madam Chair, I rise to support the Tonko-Bishop-Hirono-Welch amendment. This amendment would increase the funding for the State Energy Program and the Weatherization Assistance Program.

The bill before us slices the State Energy Program in half, from \$50 million to \$25 million. I'm not sure what the justification for this is. This program is effective and we should continue to support it. In fact, each dollar invested through the State Energy Program translates into \$7.23 of savings on energy costs. It also helps to leverage State and local funds for bigger impacts.

Hawaii has utilized this funding for a variety of beneficial activities. It has been used to support expanded clean vehicle infrastructure, more energy-efficient buildings, and other purposes.

This amendment also invests in the Weatherization Assistance Program. This program helps the elderly, disabled, and low-income families benefit from energy efficiency upgrades.

Most folks think of helping weatherize homes against cold weather, and certainly that's one of the key benefits of this program. In warm Hawaii, which has the highest energy costs in the country, we also use in program. We help our families weatherize by installing money-saving things like energy-efficient water heaters or insulating existing water heaters. Since 2009, at least 800 homes in Hawaii have been able to improve energy efficiency through this program. A modest beginning, but more, of course, needs to be done. This has helped to create jobs and give families the benefit of increased energy efficiency.

I recognize the hard decisions that are made in this bill, but these programs that we just talked about may seem small but represent big savings for families all across our country, and, in fact, it will save our country money over the long term.

I urge my colleagues to support this amendment.

I yield back the balance of my time.

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

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

Mr. TONKO. Madam Chair, I ask for 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 OFFERED BY MR. CHAFFETZ

Mr. CHAFFETZ. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 20, line 15, after the dollar amount insert "(reduced by \$74,000,000)".

Page 56, line 24, after the dollar amount insert "(increased by \$74,000,000)".

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

Mr. CHAFFETZ. Madam Chair, I have a simple amendment that takes a line item within the Energy Efficiency and Renewable Energy program back to the fiscal year 2011 level. Now, I think that's probably a pretty reasonable approach to it. It's not too long ago. If left to my own devices, I'd probably zero it out.

But if you go back and look within energy efficiency and renewable energy and then go back down and look at advanced manufacturing, which is the line item that I'm talking about, what this amendment suggests is that we would reduce spending on this, what is proposed, by \$74 million, taking it back to the fiscal year 2011 level, which would be \$76 million.

□ 1120

Now, that was not just some random number. There was real justification for this, and I hope my colleagues on both sides of the aisle will find this reasonable. I'm going back, and I'm looking at the committee report for Energy and Water appropriations, and there are three things that I want to highlight within that committee report, so I will read from that.

The first one I want to highlight reads:

For example, the Advanced Manufacturing Program within Energy Efficiency and Renewable Energy currently funds more than 40 centers in a variety of sizes, ages and effectiveness levels, only a portion of which are mentioned in the budget request. These centers vary in how well they support the program's new manufacturing mission.

Now, I don't think it's appropriate to literally double—double—from 2011 levels the spending that we are going to have on these programs when we can't basically answer the questions about the effectiveness levels.

In fact, I would go further into the committee's report where it reads:

Addressing this problem requires a higher degree of transparency, evaluation and prioritization to ensure that only highly effective centers closely aligned to program missions are funded.

I would agree with that. Until we can as a body answer that question, it's hardly a time to double the funding for this particular program.

The report further reads:

The Department is directed to submit to the committee no later than February 10, 2013, a comprehensive list of all centers funded through fiscal year 2013, including the date of establishment, the funding level in fiscal year 2013, the total funding received to date, purpose, milestones, and expectation of termination date.

Those are all reasonable things to look at in making this determination, but until we can answer that question, I don't think it's appropriate to double the spending.

The third point I'd like to make from the committee report on this particular line item reads:

The committee is concerned that, historically, technology innovations developed through the EERE research and development programs ultimately lead to the manufacturing of new or cheaper products overseas.

So, if the conclusion of the committee is that the money we spend ultimately leads to the development of products overseas, maybe it's not time to double the spending there.

This amendment, Madam Chair, simply reduces the spending on this back to 2011 levels. It's a reasonable thing. We can live within that. Again, if it were up to me, I would zero it out, but I am trying to be reasonable here. Let's save the \$76 million, answer these questions, and reevaluate the program. That's why I urge the adoption of this amendment.

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

Mr. FRELINGHUYSEN. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise to oppose the gentleman from Utah's amendment.

Our bill works hard to cut Federal spending. We're on his side. We want to reduce spending. Our committee has gone through the budget for the Department of Energy. We've taken a look at it, and we've prioritized. In fact, we've already said in other debates on other amendments that we've cut this EERE, Energy Efficiency and Renewable Energy, by \$428 million. That's 40 percent below the fiscal year 2011 level. With the remaining funds, we re-prioritize to invest in our Nation's most pressing needs, one of which is in doing more research to help American manufacturers compete and survive.

Let me restate: We do not increase this account. We re-prioritize to address our Nation's most pressing needs. In this case, the challenge is to keep our American manufacturers competitive and to keep jobs here. Our bill does that. Therefore, I must oppose the gentleman's amendment.

I yield back the balance of my time.

Mr. VISCLOSKY. I move to strike the last word.

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

Mr. VISCLOSKY. I would join the chair in opposition to the amendment.

I would point out one of the fallacies of the gentleman's argument that he

used on the floor in his language of the committee's report, that being our very serious concern that in the past we have applied moneys to research that has essentially been siphoned off overseas.

During general debate yesterday on this floor, in my opening remarks, I commended the members of the subcommittee and particularly Chairman FRELINGHUYSEN for making sure we don't do that in this bill this year, and that there is throughout this bill and that report language directives to the Department of Energy to be focused on using this money wisely so that we maintain and begin to grow our industrial base and our manufacturing base and keep these jobs here.

This would be a mistake, and I am opposed to the gentleman's amendment.

I yield back the balance of my time.

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

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

Mr. CHAFFETZ. Madam Chair, 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 Utah will be postponed.

AMENDMENT OFFERED BY MS. HAHN

Ms. HAHN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 20, line 15, after the dollar amount insert "(increased by \$50,000,000)".

Page 22, line 23, after the dollar amount insert "(reduced by \$100,000,000)".

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

Ms. HAHN. I think it is time that we begin to allow Americans to ease off their dependence of oil and give them a real alternative. Every day, we see the damage done by our dependence on oil. We see high gas prices threatening our economic recovery and burdening families already struggling to make ends meet. We see higher respiratory disease rates. And we see any number of distant regimes holding our foreign policy hostage, weakening our ability to stand by our principles and our friends.

I think it's time for us to throw off these burdens and step into the future, not double down on the dependencies of the past. Yet somehow this bill allocates almost five times more funding to deepening and extending our relationship with fossil energy than it does on advancing energy efficiency and clean, renewable energy technologies.

One of the most promising and necessary things we can do to give Americans an alternative to oil is to speed our transition to electric vehicles. Passenger cars alone use more than 40 percent of the oil consumed in this country. By 2020, the Natural Resources De-

fense Council estimates Americans will spend \$260 billion a year on gas.

Just think of what we stand to gain from helping Americans switch to electric vehicles. The technology is here, and all we need to do is implement it. My amendment would help us begin to make the kind of investments the scale of the opportunity before us requires, giving \$50 million to the Department of Energy's Energy Efficiency and Renewable Energy section.

I drive an electric vehicle back in Los Angeles, and I haven't been to a gas station since last September. Unfortunately, I don't get to drive as far as I want to because we haven't yet built the electric vehicle charging infrastructure that would help electric vehicle owners continue to drive as far as they want. The "range anxiety" of not being able to find a charging station when the battery goes low means that many EV drivers don't drive as far as they can and that many prospective electric vehicle owners are scared off. That's why we need to get serious about addressing the barriers to the adoption of electric vehicles.

Later this year, Nissan will be making the LEAF, their electric vehicle, right here in America, in Tennessee. Just last month, the Department of Energy announced they were offering \$5 million to spur electric vehicle adoption, seeking proposals that address barriers to the adoption of these vehicles and that drive market development and transformation to make Alternative Fuel Vehicles and fueling infrastructure widely available.

We need to be bolder. We ought to have 100 times that much here, but I know my friends on the other side are a little timid about electric vehicles, so I am only proposing 10 times as much. I've even reduced the budgetary authority of this bill by \$50 million because I know how much my Republican friends like to cut spending. With the right investments and electric vehicle infrastructure, we can clean our skies, free our foreign policy, strengthen our hand with regimes like Iran, and put money lost at the pump back into the pockets of American consumers.

Madam Chair, I hope my colleagues on the other side will meet me halfway on this, will meet Americans halfway. I hope you will support this amendment. This is about jobs in America. This is about giving our American consumers an alternative to their sole dependence on oil.

I yield back the balance of my time.

□ 1130

Mr. FRELINGHUYSEN. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Madam Chair, I rise to oppose the amendment.

The amendment will reduce fossil fuel energy by \$50 million. And let's start by noting that fossil fuels

produce most of our Nation's energy, nearly 70 percent of our electricity and nearly all of our transportation fuels.

But I do appreciate the gentlewoman's passion for electric vehicles. In fact, our bill already funds research in that area at above the fiscal year 2012 level as part of our focus on programs that address future gas prices. Therefore, I do oppose her amendment. I understand her views and her passion, but I strongly oppose it.

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

Mr. VISCLOSKY. Madam Chairwoman, I move to strike the last word.

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

Mr. VISCLOSKY. Madam Chairwoman, I rise in reluctant opposition to the gentlewoman's amendment for the very reasons that I mentioned earlier in debate when the gentleman from Illinois had an amendment to cut EERE—the renewable accounts—to add \$15 million to science. Again, in this case, I don't think it is wise for us to make a choice of cutting fossil energy research by \$100 million to increase the energy efficiency account by one-half that amount, \$50 million.

The fact is I understand that some people have a significant concern about the use of fossil fuels. I certainly do myself. But the fact remains that 83 percent of all energy consumption in the United States today is generated by fossil fuel, and we need to apply ourselves to the wise and efficient use of that fuel as well.

Again, I would reluctantly be opposed to the gentlewoman's amendment, and I yield back the balance of my time.

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

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

Ms. HAHN. Madam Chair, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 20, line 15, after the dollar amount insert "(reduced by \$335,000,000)".

Page 56, line 24, after the dollar amount insert "(increased by \$335,000,000)".

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

Mr. BROUN of Georgia. Madam Chairman, my amendment would reduce funding for the Energy Efficiency and Renewable Energy account by \$355 million, with the intention of removing all funding for vehicle technologies.

This reduction would be transferred to the spending reduction account.

Madam Chairman, I'm 100 percent supportive of the automobile industry producing more fuel-efficient automobiles if they choose to do so; however, there is simply no good reason that the Federal Government should be subsidizing billion-dollar companies at a time when our Nation is broke.

Over the past few years, we have seen the automobile industry receive an unprecedented amount of government assistance. We've seen an industry bailout, the market-distorting Cash for Clunkers, and many more subsidies all done with little regard for taxpayer money. It's time we begin to reverse this disturbing trend and let the automobile industry succeed or fail on its own merits.

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

Mr. FRELINGHUYSEN. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Madam Chair, briefly I rise to oppose the amendment.

I share my colleague's concerns that we should not be funding activities that the private sector should do on its own. That's why our bill cuts 24 percent out of this account, only preserving appropriate Federal activities that are too risky for the private sector to take on alone. The amendment goes too far, undercuts our ability to address gas prices, and therefore I must oppose it.

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

Mr. VISCLOSKY. Madam Chair, I move to strike the last word.

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

Mr. VISCLOSKY. I simply would add my agreement to the chairman's opposition to the amendment.

I had already remarked earlier in the day relative to my support for vehicle technology and am opposed to the gentleman's amendment.

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

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

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

ELECTRICITY DELIVERY AND ENERGY
RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$123,000,000, to remain available until expended: *Provided*, That of such amount, \$27,600,000 shall be available until September 30, 2014, for program direc-

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not more than 10 buses and 2 ambulances, all for replacement only, \$765,391,000, to remain available until expended, of which \$10,000,000 shall be derived from the Nuclear Waste Fund established in section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)), to be made available only to support the high-level waste geologic repository at Yucca Mountain: *Provided*, That, of the amount made available under this heading, \$90,015,000 shall be available until September 30, 2014, for program direction.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule 18, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

An amendment by Mr. SCALISE of Louisiana.

An amendment by Mr. KING of Iowa.

An amendment by Mr. MORAN of Virginia.

An amendment by Mr. HULTGREN of Illinois.

An amendment by Mr. CHAFFETZ of Utah.

Amendment No. 6 by Mr. MCCLINTOCK of California.

An amendment by Ms. KAPTUR of Ohio.

An amendment by Mr. TONKO of New York.

An amendment by Ms. HAHN of California.

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

AMENDMENT OFFERED BY MR. SCALISE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. SCALISE) 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 216, noes 177, not voting 38, as follows:

[Roll No. 306]

AYES—216

Adams	Bilbray	Canseco
Akin	Bilirakis	Cantor
Alexander	Bishop (GA)	Carney
Altmire	Bishop (UT)	Carson (IN)
Amash	Boren	Cassidy
Amodei	Boustany	Chabot
Bachmann	Brady (TX)	Chaffetz
Barletta	Brown (FL)	Cicilline
Barrow	Buchanan	Clarke (MI)
Barton (TX)	Buerkle	Clarke (NY)
Bass (CA)	Burgess	Cleaver
Becerra	Butterfield	Coffman (CO)
Benishek	Campbell	Cohen

Cole	Jackson Lee	Posey
Conaway	(TX)	Price (GA)
Conyers	Jenkins	Quayle
Courtney	Johnson (IL)	Rahall
Cravaack	Johnson (OH)	Rangel
Crawford	Johnson, E. B.	Reed
Critz	Johnson, Sam	Renacci
Cuellar	Jones	Reyes
Culberson	Jordan	Richardson
Cummings	Keating	Richmond
Davis (IL)	Kelly	Rigell
DeFazio	Kildee	Roe (TN)
DeGette	King (IA)	Rogers (MI)
Denham	Kinzinger (IL)	Rokita
Deutch	Kissell	Rooney
Dingell	Klaine	Ros-Lehtinen
Duncan (SC)	Kucinich	Ross (FL)
Duncan (TN)	Lamborn	Royce
Edwards	Landry	Runyan
Ellmers	Langevin	Scalise
Farenthold	Larson (CT)	Schakowsky
Fitzpatrick	Lee (CA)	Schmidt
Flake	Lewis (GA)	Schock
Fleming	Lowey	Schweikert
Forbes	Lucas	Scott (SC)
Franks (AZ)	Luetkemeyer	Scott (VA)
Fudge	Lujan	Scott, Austin
Gardner	Lummis	Sensenbrenner
Garrett	Lungren, Daniel	Serrano
Gibbs	E.	Sessions
Gibson	Manzullo	Sewell
Gingrey (GA)	Marchant	Sherman
Gohmert	Markey	Shimkus
Gonzalez	McCarthy (NY)	Smith (TX)
Goodlatte	McCaul	Smith (WA)
Gosar	McClintock	Southerland
Gowdy	McCotter	Stearns
Graves (GA)	McHenry	Sullivan
Graves (MO)	McMorris	Sutton
Green, Al	Rodgers	Thompson (MS)
Griffin (AR)	Meehan	Thornberry
Griffith (VA)	Meeks	Tipton
Grimm	Mica	Tonko
Hall	Michaud	Towns
Hanabusa	Miller (FL)	Turner (NY)
Hanna	Miller (MI)	Upton
Harper	Mulvaney	Walberg
Hastings (FL)	Nugent	Wasserman
Hayworth	Nunnelee	Schultz
Heck	Olson	Watt
Hensarling	Pastor (AZ)	Welch
Herrera Beutler	Paulsen	West
Hinojosa	Pearce	Westmoreland
Hochul	Pelosi	Whitfield
Holden	Pence	Wilson (FL)
Huelskamp	Peters	Wilson (SC)
Hultgren	Petri	Wittman
Hurt	Pingree (ME)	Woodall
Israel	Pitts	Yarmuth
Jackson (IL)	Platts	Young (AK)
	Polis	

NOES—177

Ackerman	Chandler	Gerlach
Aderholt	Chu	Granger
Andrews	Connolly (VA)	Green, Gene
Austria	Cooper	Grijalva
Bachus	Costello	Guthrie
Baldwin	Crenshaw	Gutierrez
Bartlett	Crowley	Hahn
Bass (NH)	Davis (CA)	Harris
Berg	Davis (KY)	Hartzler
Berkley	DeLauro	Hastings (WA)
Berman	Dent	Higgins
Biggart	DesJarlais	Himes
Bishop (NY)	Diaz-Balart	Hinchee
Black	Dicks	Hirono
Blackburn	Doggett	Holt
Blumenauer	Dold	Honda
Bonamici	Donnelly (IN)	Hoyer
Bonner	Dreier	Huizenga (MI)
Bono Mack	Duffy	Hunter
Boswell	Emerson	Issa
Brady (PA)	Engel	Johnson (GA)
Braley (IA)	Eshoo	Kaptur
Brooks	Farr	King (NY)
Broun (GA)	Fattah	Kingston
Bucshon	Filner	Labrador
Camp	Fincher	Lance
Capito	Fleischmann	Lankford
Capps	Flores	Larsen (WA)
Capuano	Foxx	Latham
Carnahan	Frank (MA)	Latta
Carter	Frelinghuysen	Levin
Castor (FL)	Garamendi	Lipinski

LoBiondo Pallone Schwartz
 Loeback Perlmutter Shuster
 Lofgren, Zoe Peterson Simpson
 Long Poe (TX) Sires
 Lynch Pompeo Smith (NE)
 Maloney Price (NC) Smith (NJ)
 Marino Quigley Speier
 Matheson Rehberg Stark
 Matsui Reichert Stivers
 McDermott Ribble Stutzman
 McGovern Rivera Terry
 McIntyre Roby Thompson (CA)
 McKinley Rogers (AL) Thompson (PA)
 McNeerney Rogers (KY) Tiberi
 Miller (NC) Rohrabacher Tierney
 Miller, George Roskam Turner (OH)
 Moran Ross (AR) Van Hollen
 Murphy (CT) Roybal-Allard Visclosky
 Murphy (PA) Ruppersberger Walden
 Myrick Rush
 Nadler Ryan (OH) Waxman
 Napolitano Ryan (WI) Webster
 Neugebauer Sánchez, Linda Wolf
 Noem T. Womack
 Nunes Sanchez, Loretta Woolsey
 Olver Sarbanes Yoder
 Owens Schiff Young (IN)
 Palazzo Schrader

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 203, noes 185, not voting 43, as follows:

[Roll No. 307]

AYES—203

Baca Heinrich Paul
 Burton (IN) Herger Rothman (NJ)
 Calvert Kind Schilling
 Cardoza LaTourette Scott, David
 Clay Lewis (CA) Shuler
 Clyburn Mack Slaughter
 Coble McCarthy (CA) Tsongas
 Costa McCollum Velázquez
 Doyle McKeon Walsh (IL)
 Ellison Miller, Gary Walz (MN)
 Fortenberry Moore Waters
 Gallegly Neal Young (FL)
 Guinta Pascrell

NOT VOTING—38

Adams Goodlatte Owens
 Aderholt Gosar Palazzo
 Akin Gowdy Paulsen
 Amash Granger Pearce
 Amodei Graves (GA) Pence
 Austria Graves (MO) Peterson
 Bachmann Griffith (VA) Petri
 Bachus Guthrie Pitts
 Barletta Hall Platts
 Bartlett Harper Poe (TX)
 Barton (TX) Harris Pompeo
 Benishek Hartzler Posey
 Berg Hayworth Price (GA)
 Bilirakis Heck Quayle
 Bishop (UT) Hensarling Rahall
 Black Herrera Beutler Reed
 Blackburn Higgins
 Bonner Hinojosa Rehberg
 Boswell Hochul Reichert
 Boustany Huelskamp Renacci
 Brady (TX) Hultgren Ribble
 Braley (IA) Hunter Rigell
 Brooks Rivera
 Broun (GA) Issa Roby
 Buchanan Jenkins Roe (TN)
 Bucshon Johnson (IL) Rogers (AL)
 Buerkle Johnson (OH) Rogers (KY)
 Burgess Johnson, Sam Rogers (MI)
 Camp Jordan Rohrabacher
 Campbell Kelly Rokita
 Canseco King (IA) Rooney
 Cantor King (NY) Ros-Lehtinen
 Capito Kingston Roskam
 Carter Kinzinger (IL) Ross (FL)
 Cassidy Kissell Royce
 Chabot Kline Runyan
 Chaffetz Labrador Ryan (WI)
 Chu Lamborn
 Coffman (CO) Lance Scalise
 Cole Lankford Schmidt
 Conaway Latham Schock
 Cravaack Lipinski Schweikert
 Culberson Loeback Scott (SC)
 Davis (KY) Lucas Scott, Austin
 Denham Sessions
 DesJarlais Lummis Shimkus
 Diaz-Balart Lungren, Daniel Smith (NE)
 Dold E. Smith (NJ)
 Dreier Manullo Smith (TX)
 Duffy Marchant Souterland
 Duncan (SC) Marino Stearns
 Duncan (TN) McCaul Stutzman
 Ellmers McClintock Sullivan
 Emerson McHenry Terry
 Farenthold McIntyre Thompson (PA)
 Fincher McMorris Thornberry
 Fitzpatrick Rodgers Turner (NY)
 Flake Mica Turner (OH)
 Fleischmann Michaud Visclosky
 Fleming Miller (FL) Walberg
 Flores Miller (MI) Webster
 Forbes Mulvaney Westmoreland
 Franks (AZ) Myrick Wilson (SC)
 Frelinghuysen Neugebauer Wittman
 Garrett Noem Wolf
 Gerlach Nugent Woodall
 Gibbs Nunes Yoder
 Gingrey (GA) Nunnelee Young (AK)
 Gohmert Olson Young (IN)

Carson (IN) Hinchey Pingree (ME)
 Castor (FL) Hirono Polis
 Chandler Holden Price (NC)
 Cicilline Holt Quigley
 Clarke (MI) Honda Rangel
 Clarke (NY) Hoyer Reyes
 Cleaver Israel Richardson
 Cohen Jackson (IL) Richmond
 Connolly (VA) Jackson Lee Ross (AR)
 Conyers (TX) Roybal-Allard
 Cooper Johnson (GA) Ruppersberger
 Costello Johnson, E. B. Rush
 Courtney Jones Ryan (OH)
 Crawford Kaptur Sánchez, Linda
 Crenshaw Keating T.
 Critz Kildee Sanchez, Loretta
 Crowley Kucinich Sarbanes
 Cuellar Langevin Schakowsky
 Cummings Larsen (WA) Schiff
 Davis (CA) Larson (CT) Schrader
 Davis (IL) Latta Schwartz
 DeFazio Lee (CA) Scott (VA)
 DeGette Levin Sensenbrenner
 DeLauro Lewis (GA) Serrano
 Dent LoBiondo Sewell
 Deutch Lofgren, Zoe Sherman
 Dicks Long Shuster
 Dingell Lowey Simpson
 Doggett Lujan Sires
 Donnelly (IN) Lynch Smith (WA)
 Edwards Maloney Speier
 Engel Markey Stark
 Eshoo Matheson Stivers
 Farr Matsui Sutton
 Fattah McCarthy (NY) Thompson (CA)
 Filner McCotter Thompson (MS)
 Foxx McGovern Tiberi
 Frank (MA) McKinley Tierney
 Fudge McKinley Tipton
 Garamendi McNeerney Tonko
 Gardner Meehan Towns
 Gibson Meeks Upton
 Gonzalez Miller (NC) Walden
 Green, Al Moran Wasserman
 Green, Gene Murphy (CT) Schultz
 Griffin (AR) Murphy (PA) Watt
 Grijalva Grijalva Waxman
 Grimm Nadler Welch
 Gutierrez Napolitano West
 Hahn Pallone Whitfield
 Hanabusa Pastor (AZ) Wilson (FL)
 Hanna Hastings (FL) Womack
 Hastings (WA) Perlmutter Woolsey
 Himes Peters Yarmuth

NOT VOTING—43

Alexander Heinrich Paul
 Baca Herger Rothman (NJ)
 Bass (CA) Huizenga (MI) Schilling
 Burton (IN) Kind Scott, David
 Calvert Landry Shuler
 Cardoza LaTourette Slaughter
 Clay Lewis (CA) Tsongas
 Clyburn Mack Van Hollen
 Coble McCarthy (CA) Velázquez
 Costa McCollum Walsh (IL)
 Doyle McKeon Walsh (MN)
 Ellison Miller, Gary Waters
 Fortenberry Moore Young (FL)
 Gallegly Neal
 Guinta Pascrell

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1212

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

AMENDMENT OFFERED BY MR. MORAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. MORAN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

NOES—185

Ackerman Berman
 Altmire Biggart Brady (PA)
 Andrews Bilbray Brown (FL)
 Baldwin Bishop (GA) Butterfield
 Barrow Bishop (NY) Capps
 Bass (NH) Blumenauer Capuano
 Becerra Bonamici Carnahan
 Berkley Bono Mack Carney

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 152, noes 237, not voting 42, as follows:

[Roll No. 308]

AYES—152

Ackerman	Green, Al	Oliver
Andrews	Green, Gene	Pallone
Baldwin	Grijalva	Pastor (AZ)
Bass (CA)	Gutierrez	Pelosi
Bass (NH)	Hahn	Perlmutter
Becerra	Hanabusa	Peters
Berkley	Hastings (FL)	Pingree (ME)
Berman	Hayworth	Platts
Bishop (NY)	Higgins	Polis
Blumenauer	Himes	Price (NC)
Bonamici	Hinchee	Quigley
Brady (PA)	Hinojosa	Rangel
Braley (IA)	Hirono	Reyes
Brown (FL)	Holt	Richardson
Butterfield	Honda	Richmond
Capps	Hoyer	Roybal-Allard
Capuano	Israel	Ruppersberger
Carnahan	Jackson (IL)	Rush
Carney	Jackson Lee	Ryan (OH)
Carson (IN)	(TX)	Sánchez, Linda
Chu	Johnson (GA)	T.
Cicilline	Johnson, E. B.	Sanchez, Loretta
Clarke (MI)	Kaptur	Sarbanes
Clarke (NY)	Keating	Schakowsky
Cleaver	Kildee	Schiff
Cohen	Kucinich	Schwartz
Connolly (VA)	Langevin	Scott (VA)
Conyers	Larsen (WA)	Serrano
Cooper	Larson (CT)	Sewell
Courtney	Lee (CA)	Sherman
Crowley	Levin	Sires
Cummings	Lewis (GA)	Smith (WA)
Davis (CA)	Lipinski	Speier
Davis (IL)	Lofgren, Zoe	Stark
DeFazio	Lowey	Sutton
DeGette	Lujan	Thompson (CA)
DeLauro	Lynch	Thompson (MS)
Deutch	Maloney	Tierney
Dicks	Markey	Tonko
Dingell	Matsui	Towns
Doggett	McCarthy (NY)	Van Hollen
Dold	McDermott	Visclosky
Edwards	McGovern	Wasserman
Engel	McNerney	Schultz
Eshoo	Meeks	Watt
Farr	Michaud	Waxman
Fattah	Miller (NC)	Welch
Filner	Miller, George	Wilson (FL)
Fitzpatrick	Moran	Wittman
Frank (MA)	Murphy (CT)	Woolsey
Fudge	Nadler	Yarmuth
Gonzalez	Napolitano	

NOES—237

Adams	Buchanan	Donnelly (IN)
Aderholt	Bucshon	Dreier
Akin	Buerkle	Duffy
Altmire	Burgess	Duncan (SC)
Amash	Camp	Duncan (TN)
Amodei	Campbell	Ellmers
Austria	Canseco	Farenthold
Bachmann	Cantor	Fincher
Bachus	Capito	Flake
Barletta	Carter	Fleischmann
Barrow	Cassidy	Fleming
Bartlett	Castor (FL)	Flores
Barton (TX)	Chabot	Forbes
Benishkek	Chaffetz	Fox
Berg	Chandler	Franks (AZ)
Biggart	Coffman (CO)	Frelinghuysen
Bilbray	Cole	Garamendi
Bilirakis	Conaway	Gardner
Bishop (GA)	Costello	Garrett
Bishop (UT)	Cravaack	Gerlach
Black	Crawford	Gibbs
Blackburn	Crenshaw	Gibson
Bonner	Critz	Gingrey (GA)
Bono Mack	Cuellar	Gohmert
Boren	Culberson	Goodlatte
Boswell	Davis (KY)	Gosar
Boustany	Denham	Gowdy
Brady (TX)	Dent	Granger
Brooks	DesJarlais	Graves (GA)
Broun (GA)	Diaz-Balart	Graves (MO)

Griffin (AR)	Marino	Rokita
Griffith (VA)	Matheson	Rooney
Grimm	McCaul	Ros-Lehtinen
Guthrie	McClintock	Roskam
Hall	McCotter	Ross (AR)
Hanna	McHenry	Ross (FL)
Harper	McIntyre	Royce
Harris	McKinley	Runyan
Hartzler	McMorris	Ryan (WI)
Hastings (WA)	Rodgers	Scalise
Heck	Meehan	Schmidt
Hensarling	Mica	Schock
Herrera Beutler	Miller (FL)	Schrader
Hochul	Miller (MI)	Schweikert
Holden	Mulvaney	Scott (SC)
Huelskamp	Murphy (PA)	Scott, Austin
Hultgren	Myrick	Sensenbrenner
Hunter	Neugebauer	Sessions
Hurt	Noem	Shimkus
Issa	Nugent	Shuster
Jenkins	Nunes	Simpson
Johnson (IL)	Nunnelee	Smith (NE)
Johnson (OH)	Olson	Smith (NJ)
Johnson, Sam	Owens	Smith (TX)
Jones	Palazzo	Southerland
Jordan	Paulsen	Stearns
Kelly	Pearce	Stutzman
King (IA)	Pence	Sullivan
King (NY)	Peterson	Terry
Kingston	Petri	Thompson (PA)
Kinzinger (IL)	Pitts	Thornberry
Kissell	Poe (TX)	Tiberi
Kline	Pompeo	Timber
Labrador	Posey	Tipton
Lamborn	Price (GA)	Turner (NY)
Lance	Quayle	Turner (OH)
Rahall	Rahall	Upton
Reed	Reed	Walberg
Rehberg	Rehberg	Walden
Reichert	Reichert	Webster
Renacci	Renacci	West
Ribble	Ribble	Westmoreland
Loebsock	Ribble	Whitfield
Long	Rigell	Wilson (SC)
Lucas	Rivera	Wolf
Luetkemeyer	Roby	Womack
Lummis	Roe (TN)	Woodall
Lungren, Daniel	Rogers (AL)	Yoder
E.	Rogers (KY)	Young (AK)
Manzullo	Rogers (MI)	Young (IN)
Marchant	Rohrabacher	

NOT VOTING—42

Alexander	Quinta	Pascrell
Baca	Heinrich	Paul
Burton (IN)	Herger	Rothman (NJ)
Calvert	Huizenga (MI)	Schilling
Cardoza	Kind	Scott, David
Clay	LaTourette	Shuler
Lewis (CA)	Lewis (CA)	Slaughter
Mack	Mack	Stivers
McCarthy (CA)	McCarthy (CA)	Tsongas
McCollum	McCollum	Velázquez
McKeon	McKeon	Walsh (IL)
Miller, Gary	Miller, Gary	Walz (MN)
Moore	Moore	Waters
Neal	Neal	Young (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1216

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HULTGREN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. HULTGREN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 130, noes 256, not voting 45, as follows:

[Roll No. 309]

AYES—130

Adams	Gosar	Pence
Aderholt	Gowdy	Petri
Akin	Graves (MO)	Poe (TX)
Amash	Griffith (VA)	Pompeo
Amodei	Grimm	Posey
Bachmann	Hall	Price (GA)
Bachus	Hartzler	Quayle
Benishkek	Hensarling	Ribble
Berg	Hinojosa	Rigell
Biggart	Hochul	Roe (TN)
Bilirakis	Huelskamp	Rogers (MI)
Black	Hultgren	Rohrabacher
Blackburn	Hunter	Rokita
Brady (TX)	Hurt	Rooney
Brooks	Jenkins	Ros-Lehtinen
Broun (GA)	Johnson (IL)	Roskam
Buchanan	Jordan	Ross (FL)
Buerkle	Kelly	Royce
Burgess	Kinzinger (IL)	Ryan (WI)
Campbell	Kline	Scalise
Canseco	Labrador	Schmidt
Cantor	Lamborn	Schock
Cassidy	Landry	Schweikert
Chabot	Lofgren, Zoe	Scott (SC)
Conaway	Luetkemeyer	Scott, Austin
Costello	Lummis	Scott, Austin
Cravaack	Lungren, Daniel	Sensenbrenner
Dent	E.	Sessions
DesJarlais	Manzullo	Shimkus
Duffy	Marchant	Smith (NE)
Duncan (SC)	Matheson	Smith (TX)
Duncan (TN)	McClintock	Southerland
Ellmers	McCotter	Stearns
West	McHenry	Stutzman
Farenthold	McKinley	Thornberry
Fincher	Miller (FL)	Turner (NY)
Flake	Mulvaney	Walberg
Fleming	Myrick	Webster
Flores	Neugebauer	Westmoreland
Forbes	Noem	Wilson (SC)
Franks (AZ)	Nugent	Wittman
Garrett	Olson	Woodall
Gingrey (GA)	Paulsen	Young (AK)
Gohmert	Pearce	Young (IN)

NOES—256

Altmire	Cole	Granger
Andrews	Connolly (VA)	Green, Al
Austria	Conyers	Green, Gene
Baldwin	Cooper	Griffin (AR)
Barletta	Courtney	Grijalva
Barrow	Crawford	Guthrie
Bartlett	Crenshaw	Gutierrez
Barton (TX)	Critz	Hahn
Bass (CA)	Crowley	Hanabusa
Bass (NH)	Cuellar	Hanna
Becerra	Culberson	Harper
Berkley	Cummings	Harris
Berman	Davis (CA)	Hastings (FL)
Bilbray	Davis (IL)	Hastings (WA)
Bishop (GA)	Davis (KY)	Hayworth
Bishop (NY)	DeFazio	Heck
Bishop (UT)	DeGette	Herrera Beutler
Blumenauer	DeLauro	Higgins
Bonamici	Denham	Himes
Bonner	Deutch	Hinchee
Bono Mack	Diaz-Balart	Hirono
Boren	Dicks	Holden
Boswell	Dingell	Holt
Boustany	Doggett	Honda
Brady (PA)	Dold	Hoyer
Braley (IA)	Donnelly (IN)	Israel
Brown (FL)	Dreier	Issa
Butterfield	Edwards	Jackson (IL)
Camp	Emerson	Jackson Lee
Capito	Engel	(TX)
Capps	Eshoo	Johnson (GA)
Capuano	Farr	Johnson (OH)
Carnahan	Fattah	Johnson, E. B.
Carney	Filner	Jones
Carson (IN)	Fitzpatrick	Kaptur
Carter	Fleischmann	Keating
Castor (FL)	Fox	Kildee
Chaffetz	Frank (MA)	King (IA)
Chandler	Frelinghuysen	King (NY)
Chu	Fudge	Kingston
Cicilline	Garamendi	Kissell
Clarke (MI)	Gardner	Kucinich
Clarke (NY)	Gerlach	Lance
Cleaver	Gibbs	Langevin
Coffman (CO)	Gibson	Lankford
Cohen	Gonzalez	Larsen (WA)

Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Long
Lowey
Lucas
Luján
Lynch
Maloney
Marino
Markey
Matsui
McCarthy (NY)
McDermott
McGovern
McIntyre
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Nunes
Nunnelee
Olver
Owens

NOT VOTING—45

Ackerman
Alexander
Baca
Bucshon
Burton (IN)
Calvert
Cardoza
Clay
Clyburn
Coble
Costa
Doyle
Ellison
Fortenberry
Gallegly

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1219

Mr. PALLONE changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. CHAFFETZ

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Utah (Mr. CHAFFETZ) 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 140, noes 245, not voting 46, as follows:

[Roll No. 310]
AYES—140
Adams
Akin
Amash
Amodei
Bachmann
Bachus
Barton (TX)
Benishek
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Camp
Lamborn
Lance
Landry
Lankford
Latta
Long
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Matheson
McCaul
McClintock
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Mulvaney
Myrick
Neugebauer
Nugent
Nunes
Nunnelee
Olson

NOES—245

Aderholt
Altmire
Andrews
Austria
Baldwin
Barletta
Barrow
Bartlett
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggett
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper

[Roll No. 310]
AYES—140
Gowdy
Graves (GA)
Graves (MO)
Guthrie
Hall
Harris
Hayworth
Hensarling
Huelskamp
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jones
Jordan
King (IA)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latta
Long
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Matheson
McCaul
McClintock
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Mulvaney
Myrick
Neugebauer
Nugent
Nunes
Nunnelee
Olson

Griffith (VA)
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Heck
Herrera Beutler
Higgins
Himes
Hinchev
Hinojosa
Hirono
Diaz-Balart
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis (GA)
Lipinski

LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Luján
Lynch
Maloney
Marino
Markey
Matsui
McCarthy (NY)
McCotter
McDermott
McGovern
McHenry
McIntyre
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (PA)
Nadler
Napolitano
Noem
Olver
Owens
Palazzo
Pallone
Pastor (AZ)
Pelosi
Perlmutter
Peters

NOT VOTING—46

Ackerman
Alexander
Baca
Bass (CA)
Burton (IN)
Calvert
Cardoza
Clay
Clyburn
Coble
Costa
Crowley
Doyle
Ellison
Fortenberry
Gallegly

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1223

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. MCCLINTOCK
The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCCLINTOCK) 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 113, noes 275, not voting 43, as follows:

[Roll No. 311]

AYES—113

Adams
Aderholt
Akin

Amash
Amodei
Bachmann

Bachus
Benishek
Bilirakis

Peterson
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rivera
Robby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross (AR)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)

Pascrell
Paul
Rothman (NJ)
Schilling
Scott, David
Shuler
Slaughter
Stutzman
Tsongas
Velázquez
Walsh (IL)
Walz (MN)
Waters
Young (FL)

Bishop (UT)	Hartzler	Poe (TX)	Murphy (PA)	Rogers (AL)	Smith (WA)	Clarke (NY)	Holt	Pingree (ME)
Blackburn	Hensarling	Pompeo	Nadler	Rogers (KY)	Speier	Cleaver	Honda	Platts
Boustany	Huelskamp	Posey	Napolitano	Rogers (MI)	Stark	Coffman (CO)	Israel	Polis
Brady (TX)	Hultgren	Price (GA)	Noem	Ros-Lehtinen	Stivers	Cohen	Jackson (IL)	Price (NC)
Brooks	Hunter	Quayle	Roemer	Roskam	Sullivan	Conyers	Jackson Lee	Quigley
Broun (GA)	Hurt	Ribble	Owens	Ross (AR)	Sutton	Cooper	(TX)	Rahall
Buerkle	Issa	Roe (TN)	Palazzo	Roybal-Allard	Terry	Costello	Johnson (GA)	Rangel
Burgess	Jenkins	Rohrabacher	Pallone	Runyan	Thompson (CA)	Courtney	Johnson, E. B.	Reichert
Campbell	Jones	Rokita	Pastor (AZ)	Ruppersberger	Thompson (MS)	Critz	Jones	Reyes
Cantor	Jordan	Rooney	Pelosi	Rush	Thompson (PA)	Crowley	Kaptur	Richardson
Cassidy	Kline	Ross (FL)	Perlmutter	Ryan (OH)	Tiberi	Cuellar	Keating	Richmond
Chabot	Labrador	Royce	Peters	Sánchez, Linda	Tierney	Cummings	Kildee	Ross (AR)
Chaffetz	Landry	Ryan (WI)	Peterson	T.	Tipton	Davis (CA)	King (IA)	Roybal-Allard
Conaway	Long	Scalise	Pingree (ME)	Sanchez, Loretta	Tonko	Davis (IL)	Kucinich	Runyan
Culberson	Lummis	Schmidt	Pitts	Sarbanes	Towns	DeGette	Lance	Ruppersberger
DesJarlais	Manzullo	Schweikert	Platts	Schakowsky	Turner (OH)	DeLauro	Langevin	Rush
Duffy	Marchant	Scott (SC)	Polis	Schiff	Van Hollen	Dent	Larsen (WA)	Ryan (OH)
Duncan (SC)	McClintock	Scott, Austin	Price (NC)	Schock	Visclosky	Deutch	Larson (CT)	Sánchez, Linda
Duncan (TN)	McHenry	Sensenbrenner	Quigley	Schrader	Walden	Dicks	Latham	T.
Farenthold	McMorris	Sessions	Rahall	Schwartz	Wasserman	Dingell	Lee (CA)	Sanchez, Loretta
Fincher	Rodgers	Southerland	Rangel	Scott (VA)	Schultz	Doggett	Levin	Sarbanes
Flake	Mica	Stearns	Rehberg	Serrano	Watt	Dold	Lewis (GA)	Schakowsky
Fleming	Miller (FL)	Stutzman	Rehberg	Sewell	Waxman	Donnelly (IN)	Lipinski	Schiff
Flores	Miller (MI)	Thornberry	Reichert	Sherman	Webster	Edwards	LoBiondo	Schrader
Foxx	Mulvaney	Turner (NY)	Renacci	Shimkus	Welch	Engel	Loeb sack	Schwartz
Franks (AZ)	Myrick	Upton	Reyes	Shuster	Wilson (FL)	Farr	Lowey	Scott (VA)
Garrett	Neugebauer	Walberg	Richardson	Simpson	Wittman	Fattah	Luján	Scott, Austin
Gingrey (GA)	Nugent	West	Richmond	Sires	Wolf	Filner	Lynch	Sensenbrenner
Gohmert	Nunes	Westmoreland	Rigell	Smith (NE)	Womack	Fitzpatrick	Maloney	Serrano
Goodlatte	Nunnelee	Whitfield	Rivera	Smith (NJ)	Woolsey	Frank (MA)	Markey	Sewell
Gosar	Olson	Wilson (SC)	Roby	Smith (TX)	Yarmuth	Fudge	Matsui	Sherman
Gowdy	Paulsen	Woodall				Garamendi	McCarthy (NY)	Sires
Graves (GA)	Pearce	Yoder				Gardner	McDermott	Smith (NJ)
Graves (MO)	Pence	Young (AK)	Ackerman	Heinrich	Pascrell	Gerlach	McGovern	Smith (WA)
Harris	Petri	Young (IN)	Alexander	Herger	Paul	Gibson	McIntyre	Speier
			Baca	Huizenga (MI)	Rothman (NJ)	Gingrey (GA)	McNerney	Stark
			Burton (IN)	Johnson, Sam	Schilling	Gonzalez	Meeks	Sutton
			Calvert	Kind	Scott, David	Goodlatte	Mica	Thompson (CA)
			Cardoza	Lamborn	Shuler	Green, Al	Michaud	Tierney
			Clay	LaTourette	Slaughter	Green, Gene	Miller (NC)	Tipton
			Clyburn	Lewis (CA)	Tsongas	Griffith (VA)	Miller, George	Tonko
			Coble	Mack	Velazquez	Grijalva	Murphy (CT)	Towns
			Costa	McCarthy (CA)	Walsh (IL)	Gutierrez	Nadler	Van Hollen
			Doyle	McCollum	Walz (MN)	Hahn	Napolitano	Visclosky
			Ellison	McKeon	Waters	Hanabusa	Olver	Wasserman
			Fortenberry	Miller, Gary	Young (FL)	Hastings (FL)	Owens	Schultz
			Gallegly	Moore		Higgins	Pallone	Watt
			Guinta	Neal		Himes	Pastor (AZ)	Waxman
						Hinchev	Pelosi	Welch
						Hinojosa	Perlmutter	Wilson (FL)
						Hirono	Peters	Woolsey
						Hochul	Peterson	Yarmuth

NOES—275

Altmire	Davis (CA)	Holt
Andrews	Davis (IL)	Honda
Austria	Davis (KY)	Hoyer
Baldwin	DeFazio	Israel
Barletta	DeGette	Jackson (IL)
Barrow	DeLauro	Jackson Lee
Bartlett	Denham	(TX)
Barton (TX)	Dent	Johnson (GA)
Bass (CA)	Deutch	Johnson (IL)
Bass (NH)	Diaz-Balart	Johnson (OH)
Becerra	Dicks	Johnson, E. B.
Berg	Dingell	Kaptur
Berkley	Doggett	Keating
Berman	Dold	Kelly
Biggert	Donnelly (IN)	Kildee
Bilbray	Dreier	King (IA)
Bishop (GA)	Edwards	King (NY)
Bishop (NY)	Ellmers	Kingston
Black	Emerson	Kinzinger (IL)
Blumenauer	Engel	Kissell
Bonamici	Eshoo	Kucinich
Bonner	Farr	Lance
Bono Mack	Fattah	Langevin
Boren	Filner	Lankford
Boswell	Fitzpatrick	Larsen (WA)
Brady (PA)	Fleischmann	Larsen (CT)
Braley (IA)	Forbes	Latham
Brown (FL)	Frank (MA)	Latta
Buchanan	Frelinghuysen	Lee (CA)
Buschon	Fudge	Levin
Butterfield	Garamendi	Lewis (GA)
Camp	Gardner	Lipinski
Canseco	Gerlach	LoBiondo
Capito	Gibbs	Loeb sack
Capps	Gibson	Lofgren, Zoe
Capuano	Gonzalez	Lowey
Carnahan	Granger	Lucas
Carney	Green, Al	Luetkemeyer
Carson (IN)	Green, Gene	Luján
Carter	Griffin (AR)	Lungren, Daniel
Castor (FL)	Griffith (VA)	E.
Chandler	Grijalva	Lynch
Chu	Grimm	Maloney
Cicilline	Guthrie	Marino
Clarke (MI)	Gutierrez	Markey
Clarke (NY)	Hahn	Matheson
Cleaver	Hall	Matsui
Coffman (CO)	Hanabusa	McCarthy (NY)
Cohen	Hanna	McCaul
Cole	Harper	McCotter
Connolly (VA)	Hastings (FL)	McDermott
Conyers	Hastings (WA)	McGovern
Cooper	Hayworth	McIntyre
Costello	Heck	McKinley
Courtney	Herrera Beutler	McNerney
Cravaack	Higgins	Meehan
Crawford	Himes	Meeks
Crenshaw	Hinchev	Michaud
Critz	Hinojosa	Miller (NC)
Crowley	Hirono	Miller, George
Cuellar	Hochul	Moran
Cummings	Holden	Murphy (CT)

NOT VOTING—43

Heinrich
Pascrell
Paul
Rothman (NJ)
Schilling
Scott, David
Shuler
Slaughter
Tsongas
Velazquez
Walsh (IL)
Walz (MN)
Waters
Young (FL)

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

□ 1227

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

AMENDMENT OFFERED BY MS. KAPTUR
The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentlewoman from Ohio (Ms. KAPTUR)
on which further proceedings were
postponed and on which the ayes 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 183, noes 200,
not voting 48, as follows:

[Roll No. 312]

AYES—183

Andrews	Bishop (NY)	Capps
Baldwin	Blumenauer	Capuano
Barrow	Bonamici	Carnahan
Bartlett	Bono Mack	Carney
Bass (CA)	Boren	Carson (IN)
Bass (NH)	Boswell	Castor (FL)
Becerra	Brady (PA)	Chandler
Berkley	Braley (IA)	Chu
Berman	Brown (FL)	Cicilline
Bishop (GA)	Butterfield	Clarke (MI)
Adams	Duffy	Johnson (OH)
Aderholt	Duncan (SC)	Jordan
Altmire	Duncan (TN)	Kelly
Amash	Ellmers	King (NY)
Amodel	Emerson	Kingston
Austria	Farenthold	Kinzinger (IL)
Bachmann	Fincher	Kissell
Bachus	Flake	Kline
Barletta	Fleischmann	Labrador
Barton (TX)	Fleming	Lamborn
Benishek	Flores	Landry
Berg	Forbes	Lankford
Biggert	Foxx	Latta
Bilbray	Franks (AZ)	Lofgren, Zoe
Bilirakis	Frelinghuysen	Long
Bishop (UT)	Garrett	Lucas
Black	Gibbs	Luetkemeyer
Blackburn	Gohmert	Lummis
Bonner	Gosar	Lungren, Daniel
Boustany	Gowdy	E.
Brady (TX)	Granger	Manzullo
Brooks	Graves (GA)	Marchant
Broun (GA)	Graves (MO)	Marino
Buchanan	Griffin (AR)	Matheson
Buschon	Grimm	McCaul
Buerkle	Guthrie	McClintock
Camp	Hall	McCotter
Campbell	Hanna	McHenry
Canseco	Harper	McKinley
Cantor	Harris	McMorris
Capito	Hartzler	Rodgers
Cassidy	Hastings (WA)	Meehan
Chabot	Hayworth	Miller (FL)
Cole	Heck	Miller (MI)
Conaway	Hensarling	Moran
Connolly (VA)	Herrera Beutler	Mulvaney
Cravaack	Holden	Murphy (PA)
Crawford	Hoyer	Myrick
Crenshaw	Huelskamp	Neugebauer
Culberson	Hultgren	Noem
Davis (KY)	Hunter	Nugent
Denham	Hurt	Nunes
DesJarlais	Issa	Nunnelee
Diaz-Balart	Jenkins	Olson
Dreier	Johnson (IL)	Palazzo

Paulsen	Rooney	Thompson (MS)	Green, Al	Lipinski	Ruppersberger	Roskam	Simpson	Visclosky
Pearce	Ros-Lehtinen	Thompson (PA)	Green, Gene	Loeb	Rush	Ross (AR)	Smith (NE)	Walberg
Pence	Roskam	Thornberry	Grijalva	Lowe	Ryan (OH)	Ross (FL)	Smith (NJ)	Walden
Petri	Ross (FL)	Tiberi	Gutierrez	Lynch	Sánchez, Linda	Royce	Smith (TX)	Webster
Pitts	Royce	Turner (NY)	Hahn	Maloney	T.	Runyan	Smith (WA)	West
Poe (TX)	Ryan (WI)	Turner (OH)	Hanabusa	Markey	Sanchez, Loretta	Ryan (WI)	Southerland	Westmoreland
Pompeo	Scalise	Upton	Hanna	Matsui	Sarbanes	Scalise	Stivers	Stivers
Posey	Schmidt	Walberg	Hastings (FL)	McCarthy (NY)	Schakowsky	Schiff	Stutzman	Whitfield
Price (GA)	Schock	Walden	Higgins	McDermott	Schrader	Schmidt	Sullivan	Wilson (SC)
Quayle	Schweikert	West	Himes	McGovern	Schwartz	Schock	Terry	Wittman
Reed	Scott (SC)	Westmoreland	Hinchesy	McNerney	Scott (VA)	Schweikert	Thompson (CA)	Wolf
Rehberg	Sessions	Whitfield	Hinojosa	Meeks	Serrano	Scott (SC)	Thompson (PA)	Womack
Renacci	Shimkus	Wilson (SC)	Hirono	Michaud	Sewell	Scott, Austin	Thornberry	Woodall
Ribble	Shuster	Wittman	Hochul	Miller (NC)	Sherman	Sensenbrenner	Tiberi	Yoder
Rigell	Simpson	Wolf	Holden	Miller, George	Sires	Sessions	Tipton	Young (AK)
Rivera	Smith (NE)	Womack	Holt	Moran	Speier	Shimkus	Turner (OH)	Young (IN)
Roby	Smith (TX)	Woodall	Hoyer	Murphy (CT)	Stark	Shuster	Upton	
Roe (TN)	Southerland	Yoder	Israel	Nadler	Sutton			
Rogers (AL)	Stearns	Young (AK)	Jackson (IL)	Napolitano	Thompson (MS)	Ackerman	Gallegly	Neal
Rogers (KY)	Stivers	Young (IN)	Jackson Lee	Oliver	Tierney	Alexander	Gallegly	Neal
Rogers (MI)	Stutzman		(TX)	Pallone	Tonko	Baca	Guinta	Pascarell
Rohrabacher	Sullivan			Pelosi	Towns	Burgess	Heinrich	Paul
Rokita	Terry			Perlmutter	Turner (NY)	Burton (IN)	Herger	Rothman (NJ)

NOT VOTING—48

Ackerman	Ellison	Miller, Gary
Akin	Eshoo	Moore
Alexander	Fortenberry	Neal
Baca	Gallegly	Pascarell
Burgess	Guinta	Paul
Burton (IN)	Heinrich	Rothman (NJ)
Calvert	Herger	Schilling
Cardoza	Huizenga (MI)	Scott, David
Carter	Johnson, Sam	Shuler
Chaffetz	Kind	Slaughter
Clay	LaTourette	Tsongas
Clyburn	Lewis (CA)	Velázquez
Coble	Mack	Walsh (IL)
Costa	McCarthy (CA)	Walz (MN)
DeFazio	McCollum	Waters
Doyle	McKeon	Young (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1230

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. TONKO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. TONKO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 148, noes 236, not voting 47, as follows:

[Roll No. 313]

AYES—148

Baldwin	Carson (IN)	DeFazio
Bass (CA)	Castor (FL)	DeGette
Bass (NH)	Chu	DeLauro
Becerra	Cicilline	Deutch
Bishop (GA)	Clarke (MI)	Dingell
Bishop (NY)	Clarke (NY)	Doggett
Blumenauer	Cleaver	Edwards
Bonamici	Cohen	Engel
Boswell	Connolly (VA)	Eshoo
Brady (PA)	Conyers	Farr
Braley (IA)	Cooper	Fattah
Brown (FL)	Costello	Filner
Butterfield	Courtney	Fitzpatrick
Capps	Crowley	Frank (MA)
Capuano	Cummings	Fudge
Carnahan	Davis (CA)	Garamendi
Carney	Davis (IL)	Gibson

Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kucinich
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis (GA)

NOES—236

Adams	Ellmers
Aderholt	Emerson
Akin	Farenthold
Altmire	Fincher
Amash	Flake
Amodei	Fleischmann
Andrews	Fleming
Austria	Flores
Bachmann	Forbes
Bachus	Fox
Bacchetta	Franks (AZ)
Barrow	Frelinghuysen
Bartlett	Gardner
Barton (TX)	Garrett
Benish	Gerlach
Berg	Gibbs
Berkley	Gingrey (GA)
Berman	Gohmert
Biggart	Gonzalez
Bilbray	Goodlatte
Bilirakis	Gosar
Bishop (UT)	Gowdy
Black	Granger
Blackburn	Graves (GA)
Bonner	Graves (MO)
Bono Mack	Griffin (AR)
Boren	Griffith (VA)
Boustany	Grimm
Brady (TX)	Guthrie
Brooks	Hall
Broun (GA)	Harper
Buchanan	Harris
Bucshon	Hartzler
Buerkle	Hastings (WA)
Camp	Hayworth
Campbell	Heck
Canseco	Hensarling
Cantor	Herrera Beutler
Capito	Huelskamp
Cassidy	Hultgren
Chabot	Hunter
Chandler	Hurt
Coffman (CO)	Issa
Cole	Jenkins
Conaway	Johnson (OH)
Cravaack	Jordan
Crawford	Kelly
Crenshaw	King (IA)
Critz	King (NY)
Cuellar	Kingston
Culberson	Kinzinger (IL)
Davis (KY)	Kissell
Denham	Kline
Dent	Labrador
DesJarlais	Lamborn
Diaz-Balart	Lance
Dicks	Landry
Dold	Lankford
Donnelly (IN)	Larsen (WA)
Dreier	Latham
Duffy	Latta
Duncan (SC)	LoBiondo
Duncan (TN)	Lofgren, Zoe

Long
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel

E.
Manzullo
Marchant
Marino
Matheson
McCaul
McClintock
McCotter
McHenry
McIntyre
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen

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

□ 1233

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. STEARNS. Madam Chair, on rollcall No. 313 I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MS. HAHN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. HAHN) 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 139, noes 245, not voting 47, as follows:

[Roll No. 314]

AYES—139

Amash	Butterfield	Cummings
Andrews	Capps	Davis (CA)
Baldwin	Capuano	Davis (IL)
Bass (CA)	Carnahan	DeFazio
Bass (NH)	Carney	DeGette
Becerra	Carson (IN)	Deutch
Berkley	Castor (FL)	Dicks
Berman	Chu	Dingell
Bilbray	Cicilline	Doggett
Bishop (GA)	Clarke (MI)	Edwards
Bishop (NY)	Clarke (NY)	Eshoo
Blumenauer	Cleaver	Farr
Bonamici	Cohen	Fattah
Boswell	Connolly (VA)	Filner
Brady (PA)	Conyers	Frank (MA)
Braley (IA)	Cooper	Garamendi
Brown (FL)	Crowley	Gibson

Grijalva	Loeb	Ryan (OH)	Smith (TX)	Upton
Gutierrez	Lofgren, Zoe	Ryan (WI)	Southerland	Visclosky
Hahn	Lowey	Ruppersberger	Stearns	Walberg
Hanabusa	Lujan	Rush	Stivers	Walden
Hastings (FL)	Lynch	Sánchez, Linda	Stutzman	Webster
Higgins	Maloney	T.	Sullivan	West
Himes	Markey	Sanchez, Loretta	Sutton	Westmoreland
Hinchee	Matsui	Sarbanes	Terry	Whitfield
Hinojosa	McDermott	Schakowsky	Thompson (MS)	Wilson (SC)
Hirono	McGovern	Schiff	Thompson (PA)	Wittman
Hochul	McNerney	Schrader	Thornberry	Wolf
Holt	Meeks	Schwartz	Tiberi	Womack
Honda	Michaud	Scott (VA)	Shuster	Woodall
Hoyer	Miller (NC)	Serrano	Simpson	Yoder
Israel	Miller, George	Sherman	Smith (NE)	Young (AK)
Jackson (IL)	Moran	Smith (WA)	Smith (NJ)	Young (IN)
Johnson (GA)	Nadler	Speier		
Johnson (IL)	Napolitano	Stark		
Johnson, E. B.	Olver	Thompson (CA)		
Jones	Pallone	Tierney		
Kaptur	Pastor (AZ)	Tierney		
Keating	Pelosi	Tonko		
Kildee	Perlmutter	Van Hollen		
Kissell	Peters	Wasserman		
Kucinich	Pingree (ME)	Wasserman		
Langevin	Polis	Schultz		
Lee (CA)	Price (NC)	Watt		
Levin	Quigley	Waxman		
Lewis (GA)	Rangel	Welch		
Lipinski	Reyes	Wilson (FL)		
		Woolsey		
		Yarmuth		

NOES—245

Adams	Fleming	Lungren, Daniel
Aderholt	Flores	E.
Akin	Forbes	Manzullo
Altire	Fox	Marchant
Amodi	Franks (AZ)	Marino
Austria	Frelinghuysen	Matheson
Bachmann	Fudge	McCarthy (NY)
Bachus	Gardner	McCaul
Barletta	Garrett	McClintock
Barrow	Gerlach	McCotter
Bartlett	Gibbs	McHenry
Barton (TX)	Gingrey (GA)	McIntyre
Benish	Gohmert	McKinley
Berg	Gonzalez	McMorris
Biggart	Goodlatte	Rodgers
Bilirakis	Gosar	Meehan
Bishop (UT)	Gowdy	Mica
Black	Graves (GA)	Miller (FL)
Blackburn	Graves (MO)	Miller (MI)
Bonner	Green, Al	Mulvaney
Bono Mack	Green, Gene	Murphy (CT)
Boren	Griffin (AR)	Murphy (PA)
Boustany	Griffith (VA)	Myrick
Brady (TX)	Grimm	Neugebauer
Brooks	Guthrie	Noem
Broun (GA)	Hall	Nugent
Buchanan	Hanna	Nunes
Buchson	Harper	Nunnelee
Buerkle	Harris	Olson
Camp	Hartzler	Owens
Campbell	Hastings (WA)	Palazzo
Canseco	Hayworth	Paulsen
Cantor	Heck	Pearce
Capito	Hensarling	Pence
Cassidy	Herrera Beutler	Peterson
Chabot	Holden	Petri
Chandler	Huelskamp	Pitts
Coffman (CO)	Hultgren	Platts
Cole	Hunter	Poe (TX)
Conaway	Hurt	Pompeo
Costello	Hurt	Posey
Courtney	Issa	Price (GA)
Cravaack	Jackson Lee	Quayle
Crawford	(TX)	Rahall
Crenshaw	Jenkins	Reed
Critz	Johnson (OH)	Rehberg
Cuellar	Jordan	Reichert
Culberson	Kelly	Renacci
Davis (KY)	King (IA)	Ribble
DeLauro	King (NY)	Richardson
Denham	Kingston	Richmond
Dent	Kinzinger (IL)	Rigell
DesJarlais	Kline	Rivera
Diaz-Balart	Labrador	Roby
Dold	Lamborn	Roe (TN)
Donnelly (IN)	Lance	Rogers (AL)
Dreier	Landry	Rogers (KY)
Duffy	Lankford	Rogers (MI)
Duncan (SC)	Larsen (WA)	Rohrabacher
Ellmers	Larson (CT)	Rokita
Emerson	Latham	Rooney
Engel	Latta	Ros-Lehtinen
Farenthold	LoBiondo	Roskam
Fincher	Long	Ross (AR)
Fitzpatrick	Lucas	Ross (FL)
Flake	Luetkemeyer	Royce
Fleischmann	Lummis	Ryunan

will meet at noon for morning-hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m. On Wednesday and Thursday, the House will meet at 10 a.m. for morning-hour and noon for legislative business. On Friday, the House will meet at 9 a.m. for legislative business. The last votes of the week are expected no later than 3 p.m.

Mr. Speaker, the House will consider a number of bills under suspension of the rules, a complete list of which will be announced by the close of business today. I expect the majority of these bills to come from the Natural Resources Committee, and I want to thank Chairman DOC HASTINGS and his staff for their tireless work in assisting Members on both sides of the aisle with their bills to responsibly remove Federal red tape that stands in the way of local economic development.

Members are also advised that the House will resume consideration of H.R. 5325, the Energy and Water Development Appropriations Act, on Tuesday, our first day back next week. Those wishing to offer amendments to the bill should be prepared to do so as soon as they return to Washington.

The House may also consider two additional appropriations bills next week: H.R. 5855, the Department of Homeland Security Appropriations Act, sponsored by Representative ROBERT ADERHOLT; and H.R. 5882, the Legislative Branch Appropriations Act, sponsored by Representative ANDER CRENSHAW. Chairman HAL ROGERS and the entire Appropriations Committee on both sides of the aisle should be congratulated for helping to restore the open process of allocating and prioritizing the Nation's spending.

Finally, Mr. Speaker, the House will consider H.R. 436, the Protect Medical Innovation Act, a very important bill for jobs and innovation in the medical device industry, that Representative ERIC PAULSEN is sponsoring. The Paulsen bill will be combined with H.R. 5842, the Restoring Access to Medication Act, sponsored by Representative LYNN JENKINS, and H.R. 1004, the Medical FSA Improvement Act, sponsored by Representative CHARLES BOUSTANY.

Mr. HOYER. I thank the gentleman for that information, and I want to make the comment that the gentleman correctly congratulated the appropriations leadership on his side of the aisle.

I also want to observe that on our side of the aisle there has been cooperation, and there's not been an effort to either delay or dissemble. That is why this process works. That's the way it should work. It hasn't always been that way, as the gentleman knows, but I'm pleased that it is working. I think that's best for our institution, and I think it's best for the country. So I'm pleased that, as well.

I tell my friend—and he knows this—according to the schedule I have, the House is scheduled to be in session a total of 28 days until the August break and 41 days from now until November.

NOT VOTING—47

Fortenberry	Moore
Gallegly	Neal
Granger	Pascrell
Guinta	Paul
Heinrich	Rothman (NJ)
Herger	Schilling
Huizenga (MI)	Scott, David
Johnson, Sam	Shuler
Kind	Slaughter
LaTourette	Tsongas
Lewis (CA)	Velázquez
Mack	Walsh (IL)
McCarthy (CA)	Walz (MN)
McCollum	Waters
McKeon	Young (FL)
Miller, Gary	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1237

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Madam Chair, I was unavoidably detained and missed rollcall vote Nos. 306, 307, 308, 309, 310, 311, 312, 313 and 314. Had I been present, I would have voted "aye" on rollcall vote Nos. 308, 312, and 313. Had I been present, I would have voted "no" on rollcall vote Nos. 306, 307, 309, 310, 311 and 314.

Mr. FRELINGHUYSEN. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TURNER of New York) having assumed the chair, Mrs. CAPITO, 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. 5325) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes, had come to no resolution thereon.

□ 1240

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I yield to the gentleman from Virginia, the majority leader, for the purposes of inquiring about the schedule for the week to come.

Mr. CANTOR. I thank the gentleman from Maryland, the Democratic whip, for yielding.

Mr. Speaker, on Monday the House is not in session. On Tuesday the House

Of the 41 days available, 10 are 6:30 days in which we come in for an abbreviated evening session which usually takes a half hour to an hour to conclude after afternoon debate on suspension bills.

With the limited time we have available, Mr. Leader, I am very concerned, as the gentleman knows, of the extraordinarily large number of very big fiscal questions that will be coming to roost at the end of this year. My view is that we need to address those. Hopefully, we will address them in a bipartisan way. If we do not address them, we will put the economy at continuing risk.

The Bush tax cuts, as you know, expire as of December 31. The payroll tax cut expires December 31. The sustainable growth rate—which we affectionately refer to as the doc fix—the alternative minimum tax, and the debt limit all come to bear at the end of the year.

In addition to that, the sequester—which I think all of us believe is not the appropriate way to go, but is the way we set up to force us to take action on a comprehensive, big, bold, balanced plan. Unfortunately, the supercommittee was unable to reach agreement on that.

I wanted to say to my friend, the majority leader, I would hope that you would be urging all of us and I would join with you in that effort in urging all of us to be ready to make some tough decisions, but decisions which need to be made in order to stabilize our economy and stabilize the fiscal posture of the United States. I am hopeful that we can reach a credible and sustainable fiscal path for our country.

□ 1250

The only way we are going to do that is if we work together in a bipartisan fashion. The gentleman and I were very successful in working on the Export-Import Bank legislation in a bipartisan fashion in which we got over 300 votes for on the House floor. The gentleman was unable to make the signing but it was signed this week, I think a very positive step forward. I appreciated the gentleman's work on that piece of legislation.

I would like to urge the gentleman that because of the extraordinarily short number of days that we have left to meet, to focus on what I think is going to be what some people call a fiscal train wreck, some people call it a fiscal perfect storm, some people call it a fiscal perfect cliff. Whatever you call it, it clearly will have a great impact on not only the confidence that Americans have in this body and the Senate to work and to make effective plans for meeting that challenge, but also for getting our country on a fiscally sustainable path. I don't know whether the gentleman has any comments on that.

I yield to the gentleman.

Mr. CANTOR. I thank the gentleman.

I agree with him that all of us should be very focused on the months ahead as

we approach the date at which this country will, by operation of law, experience the largest tax increase in its history, that sequester will be imposed, that we perhaps will face another debt ceiling vote as well as many of the items the gentleman mentioned. I think all of us understand the gravity of those issues.

Mr. Speaker, I think we have also seen in operation around here, together with the White House, the difficulties that the two sides have had coming together on two very important issues that run throughout all of the matters that the gentleman mentioned, and those two issues are health care and taxes.

As the gentleman knows, we have put forward a solution to the health care entitlement issue, which is the disproportionate cause of the unfunded liabilities of the Federal budget. The gentleman, the President, and his party have rejected our solution that has been validated by the Congressional Budget Office as an actual fix to the deficit.

To date we have not seen any counterproposal with the gentleman, his party, or the President coming to the table saying here's how we would fix it. All we continue to hear, Mr. Speaker, is we need to raise taxes, and we need to raise more taxes on people who have been successful.

The gentleman knows that those are the two issues, the taxes and the health care fix, that we've just had real difficulty in trying to come together. I would say to the gentleman we remain ready to work with him and his colleagues on that other side of the aisle to try and produce a result for the American people so we can re-inject some certainty back into the minds of the American people that the economy is going to get better.

Again, we tried to focus on issues having to do with growth in the private sector. How do we speak to that small businessman or -woman who's having difficulty now assessing what his or her taxes are going to be? How do we speak to that working mother there when she questions whether her health care will still be available given the uncertainty around the Obama health care bill?

These are the kinds of things we are trying to work together on. So many other things elude us because the gulf is so wide philosophically in dealing with taxes and health care.

Mr. Speaker, we remain ready to work with the gentleman. We share the concern about what lies ahead.

Mr. HOYER. I thank the gentleman. I was not trying to make political points or rhetoric in raising the issues that I did. I frankly think that it doesn't get us very far, I would suggest to the majority leader, and we need to get someplace. America expects us to get someplace.

Many of your members have indicated that revenues need to be on the table. The gentleman knows that every bipartisan commission that has dealt

with this says revenues need to be on the table. The same entitlements need to be on the table. Neither are easy to deal with, but they must be dealt with if we're going to be responsible stewards of this Nation's finances and this Nation's future.

Political rhetoric is not going to get us there. We all want to help small business, and we believe we have helped small business very substantially. Frankly, if you get into the analysis, small businesses did very well during the Clinton administration under policies that were in place at that point in time.

That aside, we need to deal with this, and I think a number of members on your side have, in fact, indicated that they understand that everything needs to be on the table, and that is what I think as well. I think both sides have things that they don't want to deal with, but Americans expect us to deal with tough things and make tough decisions on behalf of them, on behalf of their children and on behalf of their families.

On small business and economic growth, this leads me to the highway bill. We continue to be very concerned, Mr. Majority Leader, that we have not reached agreement on the highway bill. The Senate was able to reach an overwhelmingly bipartisan agreement on the highway bill, which is a jobs bill.

I was disappointed, and I hope the gentleman was disappointed at the jobs numbers that came out today: 82,000 in the private sector, lost 13,000 in the public sector, net: 69,000 jobs. That does not get us to where we want to be after losing millions and millions of jobs in the previous administration and losing a substantial number of jobs in the administration before. Over the last 26 months, we have grown 4 million jobs, but the hole was very deep, and we're not out of it. If you don't have a job, you know we're not out of it. I would hope that we could at least, with certainly our side believing, that the highway bill is a jobs bill.

Ray LaHood, as I pointed out in the past, a former leader in your party and chairman of a subcommittee in the Appropriations Committee, says that it's a jobs bill but unfortunately concludes that bill is not passing, he believes, for largely political reasons. I hope that's not the case and don't assert it to be the case.

Do you have any idea what kind of progress we're making on the highway bill so that bill can come to the floor before the June 30 expiration of the highway authorization?

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I would say to the gentleman, as he knows, the House has passed its bill, the Senate has passed theirs, conferees have been appointed, and obviously we're very mindful, as you see, of the expiration of the current authorizing language and law. We are prepared to make sure that there is no stoppage of transportation programming and funding, all

the while desiring a much longer term solution to the problem.

I think the problem remains, as the gentleman knows, just not enough money to address all the things that the country is experiencing in terms of the needs for roads and infrastructure repair, as well as the needed expansion. As the gentleman knows, we all are mindful of the limited resources that are available to address these needs.

Just trying to prioritize, I am hopeful that the conference committee can come to a solution prior to the expiration of the authorizing language in place right now. Again, we are very mindful. We don't want to allow for shutdown of any program at the end of this month.

Mr. HOYER. I thank the gentleman.

I appreciate his observation. Clearly we don't want to have the authority for the highway bill to expire without action, but I will reiterate my offer to my friend, the majority leader, and say that given the bipartisan, the overwhelming bipartisan, support of the bill that came from the other party, that if we brought that bill to the floor, I would tell the gentleman that we will have the overwhelming, perhaps unanimous support, which would be 190 votes on our side of the aisle for that bill because we believe it is a jobs bill. We believe it will grow the economy, it will put people back to work.

It will give confidence to the American people, as we did with the Export-Import Bank in my view, give confidence to the American people that we can come together and move forward through reaching agreement.

□ 1300

Obviously, the Senate was able to do that. And they did it overwhelmingly, with over half of the Republican caucus voting for it in the Senate and three-quarters of the Senate voting for it.

I would say to my friend, I think that would be a real shot in the arm for the economy. And I agree with the gentleman, certainty is important. Confidence building is important. And if we did that, in my view, and if you could bring half of your caucus to that vote, we would pass that bill overwhelmingly. And I think it would be a very positive step for the economy, very positive step for the confidence of the American people and our economy and put people back to work.

I don't know whether the gentleman wants to comment on that further, but if he does, I will yield to him.

Mr. CANTOR. Thank you.

Mr. Speaker, I say to the gentleman I have no further comment.

Mr. HOYER. Lastly, if I might, the student loan interest rate, as you know, will go up at the end of this month from 3.4 to 6.8 percent. That will add substantially additional cost to literally millions of students, some thousand dollars of additional cost to most students at a time when we want to make higher education, so necessary for success in our country, available to

as many people as we possibly can so we can be competitive worldwide and, from our perspective further, a Make it in America agenda of growing our economy and getting jobs for our people.

I know that there was opposition to that reduction when it was originally on the floor in 2007. I know there was some opposition to it earlier this year. But I also know that I think both you and the Speaker have indicated now that they support that. We passed legislation on this floor which brought that down when there was, obviously, very substantial disagreement and controversy with reference to the funding source, given the preventive health fund that was used to fund the student aid.

Can the gentleman tell me whether or not he believes there's a possibility for us to reach agreement on how to do this? I know the Speaker said this was a "phony" fight, but it is a real fight and it will have real consequences if we don't resolve our differences. Can the gentleman comment on what he believes to be the possibility of reaching agreement with the Senate on the student loan bill?

Mr. CANTOR. I would say to the gentleman that the Speaker and I, together with the Republican leader and whip in the Senate, have sent a letter to the President—perhaps the gentleman has seen it—suggesting a way forward on the issue of student loans so that there will not be an expiration of the subsidy provided to students.

We suggested two options to allow for the continuation of the lower rates for students to be paid for by provisions which the President has suggested that he would agree to. The two options are to limit the length of in-school interest subsidy and the other is to revise the Medicaid provider tax threshold and to phase it down so that we can actually achieve some savings so that we can allow for the continuation of the subsidized rates for students who are struggling on their tuition bills.

These are two options that we suggest. They are bipartisan in nature. There shouldn't be any reason why we couldn't get this done prior to the expiration of the current law.

Mr. HOYER. I thank the gentleman.

Just for his information, I would be a very strong opponent of your first option, which continues to want to reduce the take-home pay of Federal employees. Federal employees, under the plans that you have passed through this House, will have already been asked to pay \$105 billion in reduction in pay and benefits over 10 years. That's \$10 billion per year you're suggesting that our employees have their net take-home pay reduced.

In addition, the additional proposal in your reconciliation bill would add another \$78 billion to that, \$183 billion in total, or \$18.3 billion per year reduction in pay and benefits for Federal employees. The gentleman, in his

State, has a lot of those Federal employees. They happen to be civilian employees.

I know the gentleman supported the pay raise for the military personnel, which I supported as well. The gentleman is aware that largely, through my tenure in the Congress, we've treated our civilian employees and our military employees with parity. I would hope that the gentleman would not think of continuing to go to the Federal employee, as we go to no other employees, and the gentleman is not interested in asking anybody else to participate more in paying for this in terms of revenues. But your side has been continuing to propose reducing the pay and benefits of the Federal employees.

My view is, and I have said this publicly, that if we can reach a big, bold, balanced deal and it's balanced—but just going to one pocket, one group of people, who studies show, depending upon the level you're working at, many are not paid comparably to their private sector, some others are, is not a fair, balanced way to proceed. I would hope that that option would be not on the table. I know the administration put it on the table for a larger deal, but I'm going to urge that that not be an option.

I know that I have talked to some of your side from your State who believe that's not an option that ought to be pursued. As a matter of fact, one of them voted against the MilCon bill yesterday because of a provision dealing with further reducing the net take-home pay for Federal employees.

So I would hope that would not be an option, and I would hope that we can reach an option so we can contain the cost of college for young people, because that's not only good for them, it's good for the competitive stature of the United States of America.

With respect to the reconciliation bill that you mentioned, you mentioned the fact that you were dealing with the deficit. In fact, as the gentleman knows, in terms of your health care provisions, they do not, within the next 20 years, get the Federal budget to balance in the Ryan budget. So although you deal with that in some respects, it doesn't get us to balance and therefore does not, in my opinion, give the confidence and certainty that the American economy needs and that American citizens need.

I want to ask the gentleman, lastly, if he expects all 12 appropriations bills—I know we're going to do Energy and Water; we've now already done two of our bills—whether or not he expects all 12 appropriations bills to be on the floor, considered, and completed prior to the August break.

Mr. CANTOR. If I could, Mr. Speaker, just point the gentleman's attention back to the student loan issue.

I specifically did not offer up the option of the Federal employee pay-for because I do know that we have a difference on that. So the gentleman explained the differences. We understand

that. That's why we're trying to avoid differences and come together where we can agree, which is why I discussed the two other provisions which are bipartisan in nature and that the President has said he supports, which could, in a responsible fashion, allow us to continue the lower rates.

Mr. HOYER. I don't want to interrupt, other than to clarify.

As I understand the two options, one was the option of making additional—in the letter I read. Maybe I'm incorrect. If you can correct me.

Mr. CANTOR. Mr. Speaker, there were two options: One was the Federal employee pay-for in and of itself, the reductions in the size of the Federal Government, would have taken care of the pay-for, if you will, for the student loan issue. The other option was composed of two different provisions, both of which are bipartisan in nature and the President says he supports. One of those is to limit the length of in-school interest subsidies; the other was to revise the Medicaid provider tax threshold. It was those two components that comprise option two. That is my point.

Mr. HOYER. I thank the gentleman for his clarification.

Mr. CANTOR. I'm not quite sure about the note he made about our budget not balancing within the budget window. I would say to the gentleman, we understand that, but it is a plan that we could adopt that would provide a blueprint for getting us back on track as far as managing down the debt and deficit. And my point originally was, Mr. Speaker, there's been no such plan, there's been no such proffer from the President or the gentleman's side of the aisle.

□ 1310

So in order for us to move forward, we need participation from both sides. We can't just have one side providing a solution without the ability to get that solution put into place because the gentleman's party is in control in the other body and in the White House. So how do we go about trying to find commonality if there is no proffer of solution? That was my point, Mr. Speaker. And there has been no solution, balanced or not, provided by the other side.

And I would say lastly to the gentleman's inquiry about the appropriations process, we certainly maintain the position we'd like to see all of our bills brought to the floor through regular order, consistent with the Speaker's policy of an open debate that we have seen thus far in the appropriations bills. We had a successful completion yesterday, and we are continuing in the Energy and Water appropriations measure today and as we come back next week.

Mr. HOYER. I thank the gentleman for that information, and I want to say to the gentleman that I disagree that there is no plan. Mr. VAN HOLLEN, the ranking member of the Budget Committee, did in fact have a plan, pre-

sented that plan, and it was voted on on the floor of the House. It did not prevail, but that is a plan which, frankly, was a more balanced plan from our perspective. Obviously, the House did not agree with that. But it is a more balanced plan that would have reached balance in fact more quickly, I believe, than the Ryan plan.

So we do have a plan. We presented that plan. We offered it on the House floor. I voted for that plan. The overwhelming majority of the party on this side of the aisle voted for that plan. So there is a plan, so I think the gentleman is not correct in saying that we haven't offered a plan. We have; the plan has not passed, the gentleman is absolutely correct on that. The Senate and the House have not agreed on a plan. I'm not sure that they will be able to agree on a plan. I think that's unfortunate, but perhaps we can agree on the appropriations bills.

We are hopeful that the appropriations bills will be agreed upon consistent with the agreement that we thought we had at the funding levels of \$1.047 trillion for discretionary spending. The bills that have been offered are closer to that number than I think we will find as later bills come, we don't know that, but that is the speculation. The Senate has agreed that we ought to mark up to that figure, but we haven't marked up to that figure in the appropriations bills. But if we complete the appropriations bills, as the gentleman says he wants to do, I think it would be good to do.

Is it the gentleman's perspective that we will mark to \$1.047 trillion or \$1.028 trillion? That's a \$19 billion difference, a substantial difference, we understand that. In the Senate, the Republicans and Democrats have agreed to mark to the higher number. Can the gentleman comment on whether or not at the end of the day we'll be able to get agreement on the agreement that we thought we had in the Budget Control Act?

Mr. CANTOR. Mr. Speaker, I would just say to the gentleman, he and I have discussed this before in these colloquies, and I would suggest turning attention to a Senate that hasn't even begun considering its appropriations bills, to suggest that we would come to an agreement with the Senate, I think, you know, the Senate has got to really start to do its work as far as the appropriations process is concerned.

I yield back.

Mr. HOYER. I don't have a rebuttal to that, so I will yield back my time.

ADJOURNMENT TO TUESDAY, JUNE 5, 2012

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Tuesday next for morning-hour debate and 2 p.m. for legislative business.

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

There was no objection.

HONORING KANSAS STATE REPRESENTATIVE BOB BETHELL

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

Mr. YODER. Mr. Speaker, I rise to honor the life of a true public servant from the great State of Kansas. Kansas State Representative Bob Bethell represented the 113th District in the State House and hailed from Alden, Kansas, not too far from the farm where I grew up. Representative Bethell served the people of Kansas in the State House for 14 years and was a staunch advocate for education, health, and long-term care. His distinguished career includes serving as mayor of Alden, as a pastor in his community, a school principal, and a director of college admissions. Additionally, Bob was a private business owner, operating long-term health care facilities.

I was saddened to learn of the tragic car accident State Representative Bob Bethell suffered while driving home from the Kansas legislature recently on Sunday, May 20. I served with Bob for 8 years in the Kansas House, and I always remembered him as a kind and caring man who never took himself too seriously—always wearing his trademark Mickey Mouse ties.

A true public servant. Bob, we're going to miss you.

BRINGING FOCUS TO TICK-BORNE DISEASES

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

Mr. GIBSON. Mr. Speaker, over the last district work period, my colleague PAUL TONKO and I hosted a conference to bring focus to better prevention, testing, treatment, and insurance coverage for victims of Lyme and associated tick-borne diseases.

This conference was constituent-driven. Over the past couple of years, I've heard from hundreds of constituents who were suffering from Lyme or who had family members of close friends suffering from this disease. Two of these constituents took the lead and organized this conference, Christina Fisk and Holly Ahern. They did a terrific job.

We had a dynamic keynote speaker, experts on the scope and the economic burden of Lyme, and a very encouraging presentation by Dr. Horowitz on a new approach for the diagnosis and treatment that identifies co-infections and other environmental hazards as the cause for chronic Lyme symptoms.

This approach could potentially unite the medical community, presently divided over whether chronic Lyme exists. We also received briefings on supporting doctors who treat chronic Lyme patients, protecting the blood

supply, new approaches to testing, and a dynamic summary by Dr. Leigner, which provides a comprehensive roadmap for the way ahead.

Last year, I was proud to support an \$8.75 million increase for the better testing and reporting of Lyme, but much more needs to be done. I am submitting for the RECORD our conference materials, and I look forward to working with my colleagues on this vital public health issue.

A FORUM ON TICK-BORNE DISEASES—
WHAT'S NEXT?

(at Skidmore College, Saratoga Springs, NY,
May 21, 2012)

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 21, 2012.

DEAR FRIENDS: Welcome to the Forum on Tick-Borne Diseases—What's Next here at Skidmore College. I am pleased that you took the time to attend what I believe will be an informative and thought provoking exchange of ideas from a variety of perspectives.

As a Member of Congress representing communities in the eastern part of New York State, I have received a number of requests over the past year asking me to look into the subject of Lyme and other tick-borne diseases. Lyme disease and its co-infections are prevalent throughout the country, with the northeast section of the US suffering especially high incidence rates. My studies of the subject have revealed not only the unpleasant realities of the diseases and their impact on victims, but also the confusion and divergence of opinions surrounding the identification, understanding, and treatments of the diseases that are appearing with ever increasing frequency in all our communities.

New studies, including an important one conducted at SUNY Adirondack (State University of New York), indicate that Lyme disease may be far more prevalent than we had originally suspected. Additionally, other studies place the financial burden of the disease at levels much higher than we'd previously understood. It vs my feeling, and that of a number of my colleagues, that closer examination of the situation is not only warranted, but is absolutely necessary to understand the state of the science, the needs of the victims, and the opportunities for new initiatives. The goal is to create the forward momentum necessary to put efforts to fix these problems on a fast track and get some help for the victims of these debilitating diseases.

Based on input from this Forum and other sources, I intend to make sure that the Federal Government is doing all it can be reasonably expected to do to move forward on all aspects of this situation. I know there are a growing number of my colleagues in Congress who are committed to this as well. Together we will do all we can to achieve this goal. Thank you and God bless you for your personal commitment to this cause.

Very sincerely,

CHRIS GIBSON,
Congressman,
20th District, New York.

WELCOME

On behalf of the organizing committee, we would like to welcome you to the Helen Filene Ladd Concert Hall in the Arthur Zankel Music Center at Skidmore College, for the LymeNEXT forum. Thank you for your participation.

We wish to extend our gratitude to Congressman Chris Gibson, who has recognized the impact that undiagnosed and untreated

Lyme disease and the associated tick-borne infections have had not only in his district, but also across the state and country. Congressman Gibson has taken a leadership role in encouraging forward thinking, collaborative problem solving, and the search for new ideas, to improve the lives of patients and families affected by Lyme and other TBDs. We all hope that this forum will inspire new initiatives in both the public and private sectors to advance these critical issues.

We are hopeful that LymeNEXT will be only the first of many such events that will lead to greater public awareness, better diagnostics, and effective treatments for these multifactorial, protean, and debilitating diseases.

Sincerely,

CHRISTINA T. FISK,
Co-Chair.

HOLLY AHERN,
Co-Chair.

Organizing Committee: Steve Bulger, District Director for Congressman Gibson; Steve Borgos, Logistics; JoAnn Borgos, Volunteers; Mary Beth Bulger, Social Media.

KEYNOTE ADDRESS

(By Pamela Weintraub, Executive Editor,
Discover Magazine)

*Into the Woods: The Patient Journey through
Lyme Disease*

Inspired by her own family's personal nightmares with Lyme disease, Pamela Weintraub called upon her professional skills as an investigative journalist and science writer to undertake a meticulous and detailed investigation of the elaborate and complex issues that constitute the medical, political, cultural, and economic components of Lyme disease. Her findings are chronicled in her powerful book, *Cure Unknown*, which won the American Medical Writers Association book competition in 2009. Her work has served to define the varied and contentious elements that are part of all conversations concerning Lyme disease, and her investigatory skill and literary precision helped to uncover the real story behind the multi-faceted Lyme "issue". Ms. Weintraub is currently the Executive Editor at Discover. She has traveled extensively around the country educating people about Lyme disease, among other subjects, and has won numerous awards and has been featured on dozens of major radio shows including Leonard Lopate and Diane Rehm, to discuss biomedicine, science, and the future. Pam's work in this arena has earned her the respect and gratitude of thousands of Lyme victims who feel that they have a voice through her work.

SPEAKERS

Holly Ahern, MS is an award winning professor of microbiology and a science writer who has authored textbooks on laboratory science and published numerous articles in scientific and trade journals. Ahern has a B.S. degree and national board certification (American Society of Clinical Pathologists—ASCP) in medical technology, and an M.S. degree in Molecular Biology from the University at Albany. Named an NSF/ASM Biology Scholar in 2008, Ahern has become an outspoken advocate for truth in science and medicine particularly as it relates to Lyme disease. As head of a groundbreaking undergraduate research program at SUNY Adirondack in Queensbury NY, Ahern and her group are currently researching the complex biology of the Lyme disease spirochete, the incidence of bacterial and protozoal pathogens in the Ixodes tick, and investigating enhanced ways to destroy the disease-causing organisms.

Lorraine Johnson, JD, MBA is an attorney advocate on issues related to the medico-

legal and ethical aspects of Lyme disease and has published over 30 peer-reviewed articles on this topic. She earned her JD from Loyola University and an MBA from USC. She is the Chief Executive Officer of the LymeDisease.org and is a director and an officer of the International Lyme and Associated Diseases Society. She sits on the steering committee of Consumers United for Evidence-Based Healthcare, a nationwide coalition of consumer groups associated with the Cochrane Collaboration. She is also a member of the international Cochrane Consumer Network and serves as a consumer peer reviewer for Cochrane Collaboration evidence-based protocols and reviews. She has spoken before state legislatures, the CDC, at the Canadian government consensus hearings on Lyme disease, and at the IDSA review panel hearing and before the Cochrane Consumer Network.

Richard I. Horowitz, MD is a Board Certified Internist and Director of the Hudson Valley Healing Arts Center, in Hyde Park, New York, USA. He is a founding member of ILADS, and is President of the International Lyme and Associated Disease Educational Foundation (ILADEF), an organization dedicated to the education of health professionals in the diagnosis and treatment of tick-borne disorders. Dr. Horowitz has treated over 12,000 chronic Lyme disease patients in the last 25 years, and has researched and published extensively on the role of co-infections in patients with persistent symptoms. He was awarded the Humanitarian of the Year award by the Turn the Corner Foundation in 2007, for his ongoing work with chronic Lyme disease. Dr. Horowitz has presented his work to institutions, organizations, and government agencies around the world, including ILADS conferences around the globe; UNESCO in Paris and JINI—National Infectious Disease conference France. Dr. Horowitz was recently invited to consult with the top officials within the government of China (CDC/Ministry of Health) on the difficulties of diagnosing and treating Lyme disease and co-infections, and the efficacy of an integrative approach to these diseases.

Daniel Cameron, MD, MPH graduated from the University of Minnesota followed by residencies at Beth Israel Medical Center and Mt. Sinai School of Medicine in New York. Dr. Cameron is widely recognized for conducting epidemiologic research while practicing medicine. He has been viewed as a pioneer in Lyme disease as an author of practice guidelines, analytic reviews, and clinical trials. He has published 9 peer reviewed articles based on his research in the past 5 years. Dr. Cameron led ILADS, the International Lyme and Associated Diseases Society, to new heights as its president from 2007 to 2009. He has testified as an expert on Lyme disease for legislation in Connecticut, Massachusetts, and Pennsylvania for physicians' rights to diagnose Lyme disease using clinical judgment without state interference. He has been interviewed as an expert on the NBC today show, Good Morning America, Fox News, Sirius radio and in newspapers. Dr. Cameron currently sees patients in his private practice in Mt. Kisco, New York while continuing his research and writing. He maintains the website www.LymeProject.com.

David A. Leiby, PhD received a B.S. in Biology from Lafayette College, Easton, Pennsylvania, an M.S. in Biology from Rutgers University, Camden, New Jersey, and an M.S. and Ph.D. in Zoology from the Ohio State University, Columbus, Ohio. He was a National Research Council, Postdoctoral Resident Research Associate in the Cellular Immunology Department at the Walter Reed Army Institute of Research, Washington, D.C. For the past 19 years, Dr. Leiby has

been affiliated with the American Red Cross, where he is the Head of the Transmissible Diseases Department at the Jerome H. Holland Laboratory for the Biomedical Sciences in Rockville, Maryland. He is the principal investigator for comprehensive, multi-center epidemiologic studies of Chagas' disease, tick-borne pathogens and malaria in blood donors. Dr. Leiby has published over 75 refereed papers and book chapters and is frequently invited both nationally and internationally to speak at meetings and institutions. Dr. Leiby also is an associate professor of Microbiology and Tropical Medicine at the George Washington University, Washington, D.C.

Ahmed Kilani, PhD is the President and Laboratory Director of Clongen Laboratory. The company, founded in 1999 in Mountain View, California, is now located in Germantown, MD. Dr. Kilani holds a Bachelor's degree in Medical Technology, a Master's in Clinical Science (San Francisco State University) and a Ph.D. in Infectious Diseases and Immunity (University of California at Berkeley, 1999). He is also board certified nationally (American Society of Clinical Pathologists—ASCP) and in California (Clinical Laboratory Scientist—CLS/MT). Dr. Kilani has extensive experience in Microbiology, Virology, Molecular and Cell Biology. The laboratory facility in Germantown, MD was established in 2004. The company consists of two main divisions: Clinical Diagnostics for Infectious Diseases and Contract Research. Clongen Laboratory holds state and national licenses in laboratory medicine (CLIA-Certified).

Kenneth Liegner, MD is a board certified Internist with additional training in Pathology and Critical Care Medicine, practicing in Pawling, New York. He has been actively involved in diagnosis and treatment of Lyme disease and related disorders since 1988. He has published articles on Lyme disease in peer-reviewed scientific journals and has presented poster abstracts and talks at national and international conferences on Lyme disease and other tick-borne diseases. He has cared for many persons seriously ill with chronic and neurologic Lyme disease. His work has focused on the serious morbidity and (occasional) mortality that can eventuate from this aspect of the illness. He has emphasized the urgent need for widespread clinical availability of improved methods of diagnostic testing and for development of improved methods of treatment for Lyme disease in all its stages. He holds the first United States patent issued proposing application of ascaricide to deer for area-wide control of deer-tick populations as a means of reducing the incidence of Lyme disease.

DOES OBAMA ADMINISTRATION SUPPORT ISRAEL?

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, it's always an honor to speak here on the House floor, and there's been a lot of interesting attention that's been given to an issue of whether or not the Obama administration supports Israel, doesn't support Israel, is more supportive of its enemies, and apparently, according to an article in the Weekly Standard this week, May 30, 2012, by Daniel Halper, and I'm quoting from the article here, it says:

"Obama stressed he probably knows about Judaism more than any other President because he read about it," Haaretz reports. "He wondered how come no one asks Speaker of the House of Representatives John Boehner or Senate minority leader Mitch McConnell about their support to Israel."

Similarly, he said to the group, "I am not going to tell you again how I even feel about Israel, but why are we still talking about it?"

He then suggested that he should not be questioned about his commitment to the Jewish state because "all his friends in Chicago were Jewish."

I think there's a lot to be learned when we read people's comments or learn of people's comments that were not scripted, that were said just off the top of the head. Nobody put it in the teleprompter. It's not somebody else's words; it's words directly from the individual in question. So I've got to say, you know, the President says all his friends in Chicago were Jewish. I learned a lot from that. I didn't know that Jeremiah Wright was Jewish. I mean, I meet people all the time and it never crosses my mind, you know, what descent is this person.

So it's fascinating for me to find out from the President that apparently Jeremiah Wright was Jewish; Tony Rezko that got the lot right next to the President and got them a sweetheart deal of some kind, that real estate deal, even though Rezko's gone to prison, I didn't know Tony Rezko was Jewish. And Bill Ayers who unashamedly blew up a bomb hoping that he would kill people back in the seventies, the man that gave Barack Obama his first fund-raiser at his home, I didn't know what lineage Bill Ayers was, but according to the President's comment, all his friends in Chicago were Jewish. Apparently Bill Ayers must have been Jewish as well.

So it's interesting to find out about people's friends and who they are and what their background really is.

□ 1320

My background, having been at one time early on a prosecutor—I've been a judge, I've been a chief justice. It helps me, some of us that are a little slower, to work through and plod through material methodically. It helps me to make a chart.

I know, having collected the notes of jurors after they had heard long cases—I guess the longest case I tried was about 10 weeks long, a murder case, as a judge. But it was always interesting to read notes that jurors had left. So, often they would take evidence and they would make notes of evidence and try to decide what category that evidence fit into—did it support what the prosecution was saying, since they had the burden of proof, or did it support a defense contention or an affirmative defense, that kind of thing?

So I found this week, since I read that article about the President's defensiveness, that it would be interesting to take and just run through some evidence so that we could try to

decide, since the President says he's not even going to comment how he feels about Israel anymore, I think it would be helpful to go through and look at the evidence and decide whether it supports the notion that the President is very pro-Israel or that he's not.

When the President said that he wondered why no one asked Speaker of the House of Representatives JOHN BOEHNER about his support for Israel, well, I know that Speaker BOEHNER and I have had some rather profound disagreements—and that, I'm sure, will continue—but when it came to the issue of Israel, I couldn't come up with anything that indicated any lack of complete support for the Nation of Israel. In fact, 2 years ago, I started pushing to get Prime Minister Netanyahu invited to address a joint session of Congress here in this very Hall. I know when I approached Speaker PELOSI about it—this was June of 2010—she thought it was a nice idea but there just wasn't going to be time to get that done before the end of the year, we just had so much on our plate. And I think we did have a lot of courthouses we hadn't named yet, so we got those done.

Then, when the Republicans took the majority in 2011, I redid a letter and got lots of Republicans to sign on. The Speaker asked Prime Minister Netanyahu to come and address the House here, and as best I understand it, got the majority leader down the hall, HARRY REID, to go in on it so that it would be a joint session. So all the evidence indicates complete support by Speaker BOEHNER for Israel. I really haven't been able to find anything to the contrary.

But, again, since the President says he's not going to comment anymore about how he feels about Israel, I thought it would be good—and it sure helps me—to go through and just chart out evidence and which notion it supports. So I went through, and we took points from stories—whether on television, in the news media, on the Internet—that appeared to have a good basis for being factual and just decided to chart out: Is this evidence that President Obama is for or against Israel? Does he love Israel or does he love Israel not?

We know that back in 2011, most of us heard the comments—apparently they didn't know that microphone was live—when Prime Minister Netanyahu came up in the comments by President Sarkozy of France, when he made a comment something about what a problem Netanyahu was, and President Obama made comments to the effect that, Oh, yeah, well, I have to deal with him every day. It was clearly belittling of Prime Minister Netanyahu. I know people that heard the comment thought, Ooh, if you're Prime Minister Netanyahu, that's got to hurt to hear the guy that you may talk to quite a bit agreeing with another leader that Netanyahu is just a real pain to deal

with. So it really doesn't show a love for Israel really. That was more of a loves Israel not.

Then, the comments in 2011, when Prime Minister Netanyahu last year was on his way, coming to the United States—he was going to speak to an AIPAC convention here—and it seemed to be rather short notice. The President hurriedly consulted with people that he trusted. Imam Magid, who is president of the Islamic Society of North America. Of course, they are a named coconspirator in the Holy Land Foundation prosecution for supporting terrorism. ISNA, Islamic Society of North America, he's the president of that organization. And we heard on the news that Imam Magid had been consulted. In fact, Imam Magid, the president of this coconspirator supporting terrorism, was even invited to the inner sanctum of the State Department to hear the speech that he had apparently, according to sources, had helped give advice to President Obama on.

So, during his comments, President Obama says that Israel should return to its 1967 borders. And people that are familiar with Israel and know the history of that area, including going back to 1000 or so B.C. when King David was the ruler in that land—1,500, 1,600 years or so before a man named Muhammad came to Earth. Anyway, he's suggesting that Israel, in those comments, should return to those borders, which military people indicate make Israel indefensible. That's why they were so subject to attack in 1967. So that really was not a comment suggestive of a love for Israel. That's really more of a loves Israel not.

Then the Obama administration, they have wholly failed to condemn any of the Palestinians' building of illegal settlements. Here the Palestinians keep building and building in areas they're not authorized, that are illegal settlements being built, and we hear not one single word from the Obama administration about the illegal settlements being constructed by Palestinians. That also included his criticism of Israeli housing plans for East Jerusalem. So that's really a loves Israel not on that one as well.

You've got the Obama administration's decision to eradicate missile defense programs that would have helped Israel. There are articles and information about that. Obviously, since it didn't help Israel to have eradicated missile defense programs that would have helped Israel, despite some that would, that actually is an act that indicates loves Israel not.

Now, I think it was a wonderful thing that Prime Minister Netanyahu, in 2010, was invited to the White House. That was a great thing, very good of the President to invite him. But all of the reference to that visit seemed to make very clear that when the President intentionally snubbed the Prime Minister who had traveled all this way to meet with the President, and he was left waiting for an hour or so while the

President went off with his family—they knew that Prime Minister Netanyahu was coming, he came by invitation, and yet the President created an intentional snub, unless his staff, of course, is so incompetent they didn't let him know that the leader of our dear ally Israel was waiting in the White House to visit. But anyway, he went and dined with his family. Also, it was considered by most who know about internal relations to be quite a snub that, although the President's been pictured with all kinds of folks in the Middle East that would just as soon Israel be eliminated from the map, to refuse to have a picture with him, which was the norm, really was an indication of loves Israel not.

□ 1330

Now, Secretary of State Hillary Clinton announced that the Obama administration planned to send \$147 million to the West Bank and to the Hamas-run Gaza Strip.

Well, Congress had made very clear, since we have the purse strings under the Constitution, that there should not be money being sent to any organization that is supportive of terrorism. Hamas is a named organization that supports terrorism. And yet, this administration has decided to send a group who has made very clear they want to see Israel eliminated, wiped off the map—sending them \$147 million is not really evidence of a love for Israel, so that would go in that category.

Over here, you also have President Obama stating that all his friends in Chicago were Jewish, and that he was sometimes accused of being a Jewish puppet. Well, for those people who accused the President, according to the President only, of being a Jewish puppet, and that always his friends in Chicago were Jewish, well, that is some indication of a love for the Jewish Nation of Israel.

The President's administration though, earlier this year, leaked to The Washington Post of the time window in which Israel would take out Iran's nuclear program. Well, any ally is supposed to know that if you go leaking information, putting it out there in public, that damages an effort of your close ally to defend itself, that's not a good thing. It's not a sign of love and affection for an ally when you leak information that would prevent or harm the efforts of that ally in defending itself. So that was not a good indication of a love for Israel; more of a "Loves Israel Not."

And then also, the Obama administration had a leak to the media that Israel was going to use the Azerbaijan airspace to take out Iran's nuclear program. Well, if that's the kind of thing you do for friends, America's not going to have a lot of friends for very long because our friends will know, wow, Israel is said to be one of America's closest allies, and yet they're leaking information about private deals that their so-called ally has made to try to

defend themselves. That surely would fall into the category of "Loves Israel Not."

And then also, you have the immense pressure that was placed by this administration on Israel not to defend itself without the United States' permission. Does a friend really do that? I thought we believed in the sovereignty of our friends, our nation friends, so they could make their own decisions about self-defense. I thought that's the case. And yet, we keep hearing reports, reading reports about pressure by this administration on Israel not to take action to defend itself. So that's really in that category as well, "Loves Israel Not."

Then also, the Obama administration has never rejected or condemned the racist, hateful teachings about Jewish people going on in the Palestinian schools in the Middle East, and in some Muslim schools here in the United States. No condemnation or rejection at all could be found anywhere. And yet, anyone that cares to see the kind of hateful, biased, nasty things that are being said about Jewish and Israeli people just need let our office know.

There are people in Israel, there are Web sites that can provide that information. They've gotten copies of textbooks. There are commercials that are run. There are great events that Palestinian areas, in fact—that are even named for Palestinian terrorists, Islamic jihadists that blew themselves up and killed a lot of Israelis. And yet, we have no condemnation from this administration of any of that type activity.

Israel, of course is repeatedly warned by this administration to be nicer to the Palestinians, and we can't find any evidence that this administration has ever warned the Palestinians, quit inciting hatred in your children for Jewish or Israeli people.

And the list goes on, helping us assess the evidence of whether President Obama is for or really against Israel. Since his comment this week, he's not going to tell us any more how he feels about Israel. We'll just look at the evidence.

Continuing, we remember not long after President Obama came into office he traveled to Turkey, to Iraq, Saudi Arabia, Egypt, apologized to them on behalf of the United States. Somebody uses really good word choices, a beautiful group of words about the United States being divisive and dismissive. Anyway, really nice words in what many dubbed as the apology tour. That really was not a strong sign of love and affection for Israel.

And then we have the fact that this President, although he went on an apology tour all around our so-called ally, Israel, he never actually went to Israel. I don't know, you can't blame him. Maybe he'd be concerned that Prime Minister Netanyahu would leave him sitting around twiddling his thumbs while Prime Minister Netanyahu went and had dinner with his family.

But I've met with Prime Minister Netanyahu. I'm not anybody, and yet he took time and was very punctual in his meeting, so I really don't think the President should have to worry that Prime Minister Netanyahu might try to snub him the same way. I think President Obama would find Prime Minister Netanyahu to be very congenial, as he normally is. Although again, we go back to the President's comments when he didn't know the mic was open indicating he didn't have a lot of love for having to deal with Prime Minister Netanyahu every day.

So as for now, until we actually have a visit from President Obama to Israel, that really has to go into the "Loves Israel Not" category.

And then of course, we have the Obama administration's support for the Muslim Brotherhood's rise to power in Egypt. This administration was encouraging Mubarak to step down, get out of the way, and actually made quite interesting quotes about the radical Islamist protesters in Egypt.

But anyway, they supported the Muslim Brotherhood's rise to power in Egypt and have reached out in numerous ways to the Muslim Brotherhood, thinking that this may really be a good thing, indicating a great thing for the Middle East. Well, it may be a good thing for the Muslim Brotherhood, but we have the documentation, the quotes are easily accessible, about what the Muslim Brotherhood truly stands for, and they want to see Israel gone.

So some would say, well, it's a good thing when any administration reaches out to a people. But if that people, if the leaders of a group are demanding that a dear, close, friendly ally be wiped off of the map and have to live under a caliphate, not Judaism, which the President says he knows more about than any other President, apparently—but live under a caliphate, which, of course, as Ahmadinejad believes, the 12th imam, the Mahdi, will be coming back.

□ 1340

Anyway, that really wasn't showing a lot of love for Israel. Of course, Israel expressed a great deal of concern. They had concerns about what was going on in Egypt. Mubarak was a problematic man, a problematic leader, but at least he was trying to keep up the agreement, the treaty with Israel. He at least made some pretense that he was trying to protect the Egyptian-Israeli border.

Now we have the Muslim Brotherhood, who has no such intention, and it didn't take an intelligence department to advise this administration of that. It certainly should have been clear. Yet, in 2011, President Obama was calling the radical Islamist protesters in Egypt "an inspiration to people around the world," and he stated he supported a new regime in Egypt. Well, you had radical Islamists; you had the Muslim Brotherhood; and as we see in these

elections as they go forward, the Muslim Brotherhood is taking charge, and they have no interest in agreeing to the treaties that have long since been made with Israel. Although they have come back and said, Well, we might put it up to a vote, the same people who are voting the Muslim Brotherhood into power, because they know the Muslim Brotherhood wants to see Israel gone, will obviously not be supporting a treaty.

So those kinds of comments that put Israel at such extreme risk on their border just cannot be deemed to be an indication of a loves Israel. It's more a loves Israel not.

Then we have the fact that, though Syrian leader Assad has been ruthless in killing and abusing his people and has not been helpful to Israel to the extent Egyptian leader Mubarak was, this administration, the Obama administration, has failed to support the Syrian rebels the way it did the Egyptian rebels. That has really been interesting to see how that developed.

For example, in Libya, gosh, the President says he didn't need support from Congress because there were people like NATO and the Muslim Brotherhood. There were folks who wanted us to help get rid of Qadhafi. Well, Qadhafi was sure no angel, and he certainly had blood on his hands, but Qadhafi was not a threat to Israel, and this administration militarily—militarily—supported the people who are a threat to Israel, unapologetically. Now, there were some games, some wordsmanship games—wordsmithing went on by this administration—saying, Look, look, this is really a NATO action. Guess who makes up 60 percent or more of the NATO military. Guess who gives more to NATO than anybody else. It's the United States. So it was a little bit of sleight of hand to say, You know, Libya really is more of a NATO action. It's not really us.

It is very clear. This administration has not demanded the ouster of a leader with blood on his hands, who continues to abuse and kill Syrians who want some freedom. This administration hasn't supported those rebels the way they did in Libya and the way the administration called for Mubarak to be gone—forcefully. So that's also a loves Israel not.

Then you've got to note that the Obama administration's support for giving Israel's enemies money and weapons has been at the same time Israel has been given assistance. That's not showing a lot of love for Israel, but the Obama administration has supported providing Israel financial aid that they can use to buy U.S. weapons for Israel's defense. Well, now, there's a good one to show some love for Israel. So this administration has shown some love for Israel by pushing to provide them with financial aid to buy U.S. weapons for their own defense. Unfortunately, that comes at the same time the administration keeps supporting Israel's enemies—giving them money,

pushing to give them money and weapons—at the same time Israel is getting that same assistance.

Then there is one other thing that I think is worthy of note. I believe it was 2 years ago—in May 2 years ago, I believe—that the Obama administration voted with Israel's enemies to require Israel to disclose any and all nuclear capabilities or weapons. Israel is a tiny country in the middle of a number of countries and of hostile peoples that want to see Israel gone, and nobody has made that more clear than Ahmadinejad. It is certainly worthy of note that it was right after this administration parted from decades of tradition of support for Israel—and their very tenuous situation there in the Middle East—that it sided with all of Israel's enemies and voted to require them to disclose all they really had that could protect them.

It brought to mind that story from the Old Testament about King Hezekiah and how King Hezekiah was confronted by Isaiah. Those of us who believe what's printed there believe that God sent the prophet to confront Hezekiah, and he basically said, What have you done with these people from Babylon, with these leaders that came over from Babylon?

This is a Texas paraphrase, but basically, King Hezekiah said, Oh, I took these Babylonian leaders around, and I showed them all our treasure, and I showed them all the defenses we have in the armory.

In essence, Hezekiah was told by Isaiah, You fool. Because you have done this, you're going to lose your country. And he did. Actually, he begged the Lord to let it not be on his watch, and it ends up being under his son's, but that's another story.

The point here that came to mind, though, is we were demanding that Israel do what Hezekiah similarly did, which made their country vulnerable and caused them to lose their country—and we voted with Israel's enemies to demand that. This administration did. Congress would never have voted in the majority to do such a thing, but this Obama administration did.

It's a dangerous time in the world, and it's time for America not to be stupid. Some have referred to Israel as being the free world's miner's canary, because as people know, in the old days, before sensitive electronic equipment, canaries were taken into mines so that if noxious, poisonous gas began to fill the air, the canary would die before the miners would, and if the canary keeled over dead, the miners would know they've got to get out or they could be next.

Our assistance to Israel is as a democracy in the middle of a hostile world, a hostile area, with people who want to see our type of freedom and liberty gone, whose very definition of the word "freedom" means freedom to worship under a joint caliphate under shari'a law. But Israel's definition of

“freedom” is like ours. We should be supporting Israel. We should not be supporting Israel’s enemies.

□ 1350

Those who have studied history, you know that when a nation’s enemies see that nation’s strongest ally pulling away from him, that’s when their enemies move against them. So was it any surprise that after the Obama administration voted with Israel’s enemies to make Israel more vulnerable, that all of a sudden here came a flotilla to challenge the lawful blockade of the Gaza Strip that Israel had to at least try to ensure their own protection?

Of course, that was a disastrous and embarrassing time for Israel, but I can’t help but believe it goes back to this administration telling Israel’s enemies we’re standing with you and not with Israel. Yes, this administration has gone back and issued statements to the contrary. But when you look at the evidence, look at the unguarded evidence, look at the leaks, look at the support for whom, it still keeps coming back that even though this President says, I’m not going to answer any more questions about whether or not I support Israel, the evidence is clear.

I hope in the ensuing months between now and the next inauguration, that this administration will go out of its way to assure Israel’s enemies that despite the overwhelming evidence that Israel is not loved by this administration from past actions and comments, that it will take action if for no other reason than to try to help this administration win some votes that it’s been losing. I don’t really care what the reason is. I care about supporting our allies, supporting those who stand for liberty, who will allow freedom of worship by Muslims, freedom of worship by Christians, freedom of worship by other groups in Israel that Jews and Christians are not afforded in other countries that this administration keeps sucking up to.

The evidence seems pretty clear. It keeps coming back—despite some minor indications to the contrary—that this administration loves Israel not.

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

STAFFORD STUDENT LOAN PROGRAM

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 5, 2011, the gentleman from Connecticut (Mr. COURTNEY) is recognized for 60 minutes as the designee of the minority leader.

Mr. COURTNEY. Mr. Speaker, I assure you that I will not use the full 60 minutes, but there is an issue that I wanted to spend a few minutes discussing today because it is extremely time sensitive.

As the chart next to me indicates, we are today on June 1, twenty-nine days away from the increase in interest

rates for the subsidized Stafford Student Loan Program, a program which today presently offers middle class college students loans at a rate of 3.4 percent, and on July 1, by law, that number will double to 6.8 percent unless Congress acts.

The situation right now is the result of a measure that was passed in 2007, the College Cost Reduction and Access Act, which at that time—again, the statute under the Stafford program required a 6.8 percent interest rate. I was part of a group that passed the College Cost Reduction and Access Act that cut that rate down to 3.4 percent. For an average student using the Stafford Student Loan Program, which carries a loan limit up to \$23,000 a year for a student, that cut in interest rate saved the average student who uses this program about \$5,000 to \$10,000 in added interest cost, obviously a huge number for young people in this country who are struggling to try to deal with the costs of higher education.

Again, it was a 5-year bill, and it has a sunset date of July 1. That is not uncommon in terms of the way legislation is designed in Washington. But in January, President Obama, while he was standing at that podium right behind me, reminded the Congress during the State of the Union address that this doubling of rates was a few months away. Up to this point, we still have not dealt with this issue. And for young people who are trying to budget in terms of the upcoming school year, young seniors who got their acceptance letters to go to college, the failure of this Congress to address this issue and get it done is, frankly, completely unacceptable. And the schedule that we’ve been following in this House—for example, this week we had only one full session day. At a time when so many issues like this are piling up and crying out for action, that is really just unacceptable.

The good news is that there has been some movement. Since the President made his call in January, I introduced legislation to lock in the lower rate the following day. We have 152 cosponsors to lock in the lower rate at 3.4 percent. About 3 weeks ago, the Republican majority did move a bill forward. It was paid for, I think, completely inappropriately by dipping into a fund to pay for preventive health care. In other words, it took money out of a fund to pay for cervical cancer screening, diabetes treatment, all the measures that are preventable illnesses in this country. Again, many uninsured individuals need that fund to operate to get those tests done and avoid higher health care costs.

Yesterday, there was again additional movement where the Republican leadership in the House and the Senate acknowledged that that’s not going to work in terms of a way to pay for it, and two additional ideas have been put forward on the table to deal with the way to offset the cost of cutting that rate from 6.8 percent to 3.4 percent.

We’ll see. Next week, the Senate is back, and that really is the Chamber where we may see some movement forward in terms of this issue.

I think it’s important to note that this is only a 1-year fix that is being proposed right now. For families out there dealing with the cost of college, saying that we’re going to only provide relief for 1 year for interest rates is not a good enough answer.

We know that because the Federal Reserve—which tracks the amount of consumer debt that families are accumulating in this country—just yesterday reminded us that student loan debt now exceeds all other forms of consumer debt. It exceeds credit card debt. It exceeds car debt.

This is a trajectory which is just going up and up and up. And adding to that debt level by allowing interest rates to be at a ridiculous level in the economy that we’re in right now—you can go out and get a 30-year fixed rate mortgage on a house for about 3 percent or 4 percent right now. Certainly in Connecticut those kinds of loans are being offered. There are 10-year Treasury notes being sold at record lows. Yesterday, it was reported that 1.45 percent was the yield rate that Treasury was selling 10-year notes.

To have 6.8 percent, with this picture in our economy here today, is just unacceptable. The impact it’s having in terms of the higher education system is tragic for our country. In the 1980s, we were number one in the world in terms of graduating people with either 2-year or 4-year degrees. Today we are 12th. Think about that. The United States of America now is 12th in terms of graduating people with 2-year and 4-year degrees, and cost is the biggest driving factor that is preventing people from going to college and getting degrees.

□ 1400

When we look at the workforce needs in this country in terms of medical professions, in terms of research, in terms of engineering and science, the fact of the matter is this country is in an almost crisis situation right now in terms of being able to refresh and replenish the workforce needs of this country.

Now, how did we get here? The Stafford student loan program, which was created in 1965, was an attempt to try and reach out to families and give them more affordable interest rates so that they could pay for colleges. From the 1960s to the 1990s it was a variable rate interest program that went up and down with interest rates in the economy. In 2002 the Congress passed a budget law which locked in a fixed rate at 6.8 percent.

Why did they do that? Well, that interest revenue, when people pay back their loans, actually goes into the Treasury. It goes into the coffers of this country. It’s almost like a tax, essentially. To cut that rate to a lower level requires other places in the government to sort of offset the reduction

of 6.8 percent to a lower rate. The measure that we passed in 2007 accomplished that with a pay-for because it eliminated a lot of wasteful bank subsidies and fees to make sure that that cut from 6.8 percent to 3.4 percent was actually going to take place.

We are here today in a situation where student loan debt now is the largest challenge that faces middle class families who are trying to just do the right thing and give their children the opportunity to get the skills that they are going to need to compete in their lives and help our economy, by the way, perform in a very competitive global environment.

Yet we have still not come up with a sustainable, long-term path in terms of trying to make college affordable. We need to address this.

My bill, H.R. 3826, locks in the lower rate at 3.4 percent, not just for 1 year, but permanently. We also need to look at the issue of college costs. We need to start putting incentives out there in terms of Federal programs to make sure that colleges are not running wild with tuition increases. I think it's important to note that President Obama, when he gave the State of the Union address and challenged Congress to protect this lower interest rate, he coupled it with a number of reforms to the title 4 programs that pay for higher education from the Federal Government.

That basically tells universities and colleges if your tuition rates go up at an unacceptable level, you're going to be basically disqualified from participating in these programs. That is the first time that has ever been cited or suggested as a way of trying to put some carrots and sticks into the system right now. Because college costs are driving, again, that affordability challenge.

To some degree they are driving that high loan level, those high debt levels that families are almost forced to take on to pay for college. It's almost like buying a house now, if you are going to do a 4-year private college, in terms of paying the bills.

We need to again not just look at this issue in terms of protecting lower interest rates, which again it looks like we may have a glimmer of hope of a 1-year fix coming up in the Senate next week, but we also need to frankly have a longer-term strategy for providing lower interest rates on a longer term basis for middle class families, and we need to be looking at what's the driving factor in terms of college costs. We need to start creating incentives within the financing system to make sure that colleges are doing a better job of managing their overhead so that they again aren't just shifting that cost on students and their families.

Again, the stakes could not be higher in terms of success of this country. We must as a Nation make sure that we continue to invest in our education system, in our higher education system.

I would close by just citing another benchmark that's coming up in a short period of time. Again, as my chart indicates, on July 1, we are going to hit the doubling of the interest rates unless Congress acts.

What's also going to happen, though, on July 2 is that we are actually going to observe an anniversary in this country. It will be the 150th anniversary of when Abraham Lincoln signed the Morrill Act. The Morrill Act was a law that was passed during the darkest days of the Civil War, again a time when we were literally going through an existential crisis in this country about whether or not we were going to survive as a republic.

Despite all that challenge, President Lincoln was able to look above and beyond the immediate and look in the long term and sign into law this measure which created the land grant college program. That is the program which basically said that each State must establish an institution of higher education for the purposes of propagating agricultural sciences and engineering.

What an amazing act for someone, again, whose Nation was fighting for its life to see that long term we must continue to look forward, and we must invest in our future. Over time, since the Morrill Act was signed, we, on a bipartisan basis, have passed the Stafford Act, the Stafford student loan program, which I mentioned here. It was sponsored by a Republican Senator, Robert Stafford, from Vermont.

We passed the Pell grant program, named after Claiborne Pell, a Democratic Senator from Rhode Island. We passed the Perkins Loan Program, which is named after Carl Perkins, a Democrat from Kentucky.

But over time and even the darkest, most challenging, critical days of our Nation's history, we have had leadership in Washington which understood that we must keep our eye on the real crown jewels of our country, which is our people. We are a Nation that is blessed with great material wealth. We are a Nation that is blessed with the greatest military fighting force in the world. We are blessed with great financial institutions.

What really makes this country tick is our people, is investing in future generations. That is, at the end of the day, what's at stake with this issue, which has 29 days for Congress to act and fix.

I'm an optimist. I think we can do this. I think we have seen some movement—took a little external pressure on the political system here, with the President's visits to college campuses in Iowa, North Carolina and Colorado, and the ticking clock that I have been putting on this floor day in and day out, and the 130,000 petition signatures from colleges all across the country. We brought those to the Speaker's office on day 110. That external pressure has finally gotten some movement on this issue. Hopefully next week we are

really going to see the glimmers of a real solution to making sure that families are not going to see their rates double to 6.8 percent.

Again, our work is not done if we get that measure passed. We must deal with long-term sustainable solutions to the issue of higher education costs if we as a Nation are going to have any viable future and success. We can do this, but it's going to take a lot of bipartisan concerted effort to come together and solve this critical problem.

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

COUNTRY ENVISIONED BY FOUNDING FATHERS

The SPEAKER pro tempore (Mr. WALBERG). Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, as always it's my privilege and honor to address you here on the floor of the United States House of Representatives and take up a series of issues that I think you should be considering, and I would recommend that be the case as long as the broader part of the body of this Congress and the public is listening in to this conversation that we are having, Mr. Speaker.

I would make a series of points on where our Nation needs to focus our energy, where this Congress needs to focus its energy, and how we turn this country back into the country that was envisioned by our Founding Fathers. I would make the point, Mr. Speaker, that we have now, coming on almost 4 years ago, elected a President who rode into office with a large majority in his party, in both the House of Representatives and the Senate.

I warned then, going into the 2008 election, that if America elected—and I quote it this way—the ruling troika, the troika of President Obama, the majority leader of the United States Senate, HARRY REID, and Speaker of the House NANCY PELOSI, that the three of them could go into a phone booth and thereafter make a decision on what they decided to do to America without accountability that could check them in their very active endeavor to shape America in a way that wasn't envisioned by the Founding Fathers.

Lo and behold, Mr. Speaker, that is what happened. The voters in 2008 made that decision. They expanded the Democrat majority here in the House of Representatives. They also elected Barack Obama to the Presidency, the most liberal President America has ever seen and, of course, maintained a majority of Democrats in the United States Senate.

What unfolded was an effort here in the House that passed cap-and-trade, and we stood here on the floor, Mr. Speaker, over and over again and did battle with cap-and-trade. We called it cap-and-tax. Cap-and-tax was the right way to describe the bill that would tax

people who were burning hydrocarbons and, doing so, create a disadvantage for American industry and an advantage for the industries in places like India and China, where they care less about what goes into the atmosphere than we do here in this country.

That legislation, which I will always believe we had the ability to kill—even in the House Republican minority at the time—if we had turned up all of our efforts, we had the ability to kill it, Mr. Speaker. We didn't get that done.

□ 1410

We came close. We didn't get that done. And the cap-and-tax legislation passed over to the United States Senate, where it was subsequently killed in the Senate. But the sentiment of the President of the United States; the Speaker of the House, then NANCY PELOSI; and the majority leader of the United States Senate was to impose cap-and-trade or cap-and-tax on us. And they tried. They tried mightily. And President Obama has since said that if he can't get cap-and-tax passed—he would say cap-and-trade, Mr. Speaker—that he would implement it by rule and implement it by regulation if the Congress will not comply with his directive.

Now, we haven't heard very much about that effort in the media—not very much from the President, not very much from Democrats in this Congress or Democrats in the United States Senate. But it remains that this executive branch is implementing rules and regulations to carry out the initiative of cap-and-tax, cap-and-trade, which has been so rejected by the American people and exposed to be at least perpetuated by a fraud of dated information that went back and forth between the United Kingdom and the United States.

So that's one piece that has been coming at us. It's a result of that decision made by the voters in 2008. And as they pushed on cap-and-tax from that election, we saw then also that supermajority of the House Democrats, Senate Democrats, and the most liberal President America has ever seen. By the way, Mr. Speaker, I'm not making that number up. That is the data that shows that when they measured the votes of the United States Senators during the entire tenure of Barack Obama as a United States Senator, which I recognize wasn't long, he voted to the left of every Senator in the United States Senate, including BERNIE SANDERS, the Independent Senator from Vermont, who I served with in the House of Representatives. I personally like the gentleman. He's a self-professed socialist. Yet Barack Obama voted to the left of the self-professed socialist Senator, BERNIE SANDERS, and the left of every United States Senator.

While he was a Senator advancing cap-and-tax, cap-and-trade, he said that under his proposal of cap-and-tax, cap-and-trade, that the costs of electricity generated by coal would “nec-

essarily skyrocket.” Well, that's happening. They have written regulations through the EPA and other means of the executive branch of government to the point now where it's been I think clearly established that from a regulatory perspective it is not just virtually, Mr. Speaker, but literally impossible for a new coal-fired generating plant, no matter how clean burning that coal might be, to be constructed in the United States.

We tried that in Iowa a year and a half or so ago, to build a coal-fired plant in Marshalltown. It had the best combination of entities that you could bring together that could utilize this and the longest-term, best vision you could put together with the engineering and the business model. And they finally had to, as we say on the chess board, tip over their king and concede that they couldn't build a new coal-fired plant.

Now it's become ever increasingly clear that expanding coal-fired generation also is regulatorily virtually impossible, perhaps literally impossible as well.

So the costs of our electricity go up and the leverage that comes in on creating subsidized forms of energy that fit within the political wishes of the President seems to be pushed well out of the White House. In any case, Mr. Speaker, that was one of the fights that went on here in this Congress back in those years between 2008 and the election in 2010.

Of course, another one was the passage of ObamaCare. ObamaCare sometimes is described as the pejorative way that it should define the health care plan that the President advanced and that had the full support of then-Speaker PELOSI. I would remind people of that—then-Speaker PELOSI.

That legislation first came to this floor as H.R. 3200. That was the precursor to the final package of ObamaCare. In the end, the bill that they define it as—two different bills, by the way. One, a reconciliation package that was slid around the filibuster in the Senate. That's a component of ObamaCare. The other one was legislation that passed out of the House and Senate with a supermajority in the Senate—a temporary supermajority in the Senate, I might add—and that was only passed because there was a promise made here that the President would sign an executive order that in effect amended legislation that the House was about to pass.

Now, Mr. Speaker, if there are any civics students listening to this discussion, I imagine that I have just heard their jaws drop across America, to think that the President of the United States, who taught constitutional law at the University of Chicago as an adjunct professor, would think that he, now as President of the United States, could sign an executive order that could amend legislation under the promise that it would amend legislation that was about to be passed on

that condition in the House of Representatives.

That took place right here, Mr. Speaker. That's what's happened to this country. That's what's happened to the constitutional constructs of this country when you have leftist activists in charge of this government and they took the bit in their teeth and they ran off the cliff into the left and we ended up with ObamaCare, which they call the Patient Protection and Affordable Care Act. The Patient Protection and Affordable Care Act. You can walk up and down the streets of America, and with the exception of right around the Capitol here in Washington, D.C., I would suggest that you wouldn't find two people in 100 that would know what that means.

We know what ObamaCare means. That's the President's advance of the health care policy that takes away our constitutional right to manage our own health care. And I tell people often that ObamaCare needs to be repealed for a lot of reasons. It's unaffordable, it's unsustainable, and it does set up rationing. Sarah Palin was right: it reduces research and development. It means that America will no longer be the lead in the innovation and health care systems in the world.

All of those things are bad and wrong and unsustainable about it, but the worst thing is that ObamaCare is unconstitutional. It's a direct assault on Americans, on our sovereign right. Mr. Speaker, the most sovereign thing that any of us has in the United States or anyplace in the world is our own soul. We protect that. We decide. That's freedom of religion that's in the First Amendment in the United States Constitution, take care of your soul. That's sovereign.

The second most sovereign thing we have is our health: our bodies, our skin, and everything inside it. And what is ObamaCare? They went in and nationalized Chrysler. They nationalized General Motors. For a time, they nationalized three large investment banks, AIG, Fannie Mae-Freddie Mac. The entire flood insurance program in the United States and the student loan program in the United States, all of that taken over by the Federal Government in the last few years.

And then ObamaCare came along. And that is, Mr. Speaker, the nationalization of your skin and everything inside it and a 10 percent tax on the outside if you go to the tanning salon, just to add a little extra insult to injury.

That's what ObamaCare has done. It has tapped into this vigorous American people, the most vigorous people the world has ever seen. We've skimmed the cream of the crop off of every donor civilization on the planet and gotten the best that any civilization had to offer because they were inspired by the American Dream, inspired by those visions that are embodied within the Statue of Liberty. Those visions altogether attracted people to come here to this country so they could live free, be

free, breathe free, and do as they will in a free enterprise system that has a rule of law, freedom of speech, religion, and the press and assembly, and no double jeopardy and tried by a jury of your peers and states' rights that flow down to the States or the people respectively.

All of that is the promise of America. And when you come to America and you embrace that promise, then you can work to achieve the American Dream. But the Federal Government taking over the nationalization of our bodies takes that away from us. And the 1,300 health insurance companies that we had 2½ years ago when the ruling troika imposed ObamaCare on this country are fewer now. The 100,000 possible health insurance policies that were out there on the marketplace that one could choose from are fewer now. And the government stepped in and reached more.

And just yesterday, I got the news that Nemschoff Company, which is a subsidiary of Herman Miller, Inc., and provides 111 jobs up in Sioux Center, Iowa—111 jobs making furniture and other equipment, a lot of it that goes into medical clinics and hospitals, a specialized type of a production facility, 111 jobs, will close its doors, and they cited, Mr. Speaker, ObamaCare. The uncertainty and the cost and the burden of the imposition of ObamaCare upon a company that's building products for health care causes them to shut their doors down. They didn't give any other reason. I didn't talk with them. I didn't solicit this. That was what came out in their press release. And I learned it when I read the paper.

□ 1420

ObamaCare forces them into a situation where they are shutting down a company that has been there for years, and it has 1,100 jobs. Well, the profit has been taken out of it for them. That's why the plant has to be closed.

We need to remember that this economy doesn't function to produce jobs. This economy and this free enterprise system we have functions to give a return on capital. When capital is invested, it needs to be invested with an anticipation that there will be profits. And that anticipation for profit is what brings about jobs. And keeping those jobs competitive is what is an incentive to produce the expanses in technology so that America can be the innovators for the world and the most competitive economy in the world.

But this administration seems to believe that you can't have a business model unless you can have the government at the table. And the government will decide what kind of health insurance policy you can buy and that you shall buy it, and that there is an individual mandate in ObamaCare that takes away our constitutional rights, and that's the unconstitutional taking of the second most sovereign thing we have, which is our skin and everything inside it.

And if the Supreme Court—and I believe, Mr. Speaker, they will make a prudent constitutional decision, and I anticipate that decision very early—well, I will say next month sometime I anticipate that decision. They will be deliberate on this, that the Constitution defines a limited government, the principle of federalism.

The principle of federalism isn't to grow the Federal Government, it is to limit the size of the Federal Government and for those powers to be devolved down as close to the people as possible. The Federal Government should be the last resort, not the first option. If you can take care of things at the family level, take care of it at the family level. If you can't do that, take care of it at the friend level. If you can't do that, do so in your church. Do so in your neighborhood. Do so in your school. Do so in your community. Do so in your county. And if you can't do that, do so in your State. But as a last desperate resort, the Federal Government then maybe can step in if the cause is high enough and there is a constitutionally enumerated power to do so.

But this enumerated power of the Commerce Clause is where the proponents of ObamaCare pointed to argue that they have the constitutional authority to require every American that fits within their defined category to a buy health insurance policy that's approved by Barack Obama with the mandates on it that are approved by Barack Obama which, by way, include by Presidential edict—legislation by not Executive order; not legislation from the bench as we sometimes complain about with an activist judicial branch. The President of the United States legislated by press conference when he directed Kathleen Sebelius to issue the order that even our faith-based organizations, and especially our Catholic health care providers, but it also includes many of the Protestant organizations, that they shall provide contraceptives, sterilizations, and abortifacients, and they shall do so free of charge, that it should be part of every health insurance policy.

So, Mr. Speaker, can you imagine if you were someone who had committed your life to Christ, for example, a celibate priest, a celibate nun, you're required to provide contraceptives for those who are not, and if it violates your religious convictions, whether or not you wear a collar? We can't discriminate in favor of someone who happens to be a professional reverend or pastor or a bishop or a cardinal. And a layperson on the street whose convictions may be as deep needs to have the same conscience protections from a religious perspective. And so for the Federal Government to step in and declare, You're going to provide health care services; you're going to buy this health insurance policy, and you will guarantee that it'll cover contraceptives, sterilizations, and abortifacients, abortion-causing drugs for every one of

your employees even if you're in the business to oppose the idea of abortion-causing drugs.

The President got the political pushback on that, Mr. Speaker, and over a couple-weeks period of time of taking the crossfire that came from across this country directed at the White House for the audacity to make that declaration, the President held a press conference and said—it was at noon on a Friday several weeks ago now, and he said this: I'm going to make an accommodation to the religious organizations, and, therefore, rather than requiring Catholic Hill Services, for example, to provide abortion-causing drugs and sterilization and Cadillac contraceptives, I'm going to instead make that accommodation and require the insurance companies to do that for free.

Now, you heard me say a little bit ago “legislation by press conference,” Mr. Speaker, and I say that because of this: The rule that was issued by Health and Human Services' Kathleen Sebelius that imposed this thing on religious health care providers especially, that rule was never changed. The language is identical to what it was. There is not an “i” dotted differently or a “t” crossed differently. The rule is the same. So the only thing that changed was the President did a press conference and said: Okay, I'm going to cut you some slack, religious organizations. I'm going to make an accommodation to you, and I'm now going to require the insurance companies provide it for free. He repeated himself: For free.

The audacity. King George would not have the audacity to step up and do a press conference 230 years ago and say to America: Well, regardless of what the Parliament thinks, I'm just going to go ahead and require you to, let's say, buy tea at the rate that the British would like us to buy. No, there would be a tea party in Boston Harbor if that happened.

Well, there's going to be a tea party in this country, too, only it's going to take place in November, and the American people will reflect on what has happened over these 3-plus, going now on 4 years, the imposition of ObamaCare on all of America without regard to the Constitution and the restraint, requiring people to buy a health insurance policy that's approved by the Federal Government that has mandates that are stuck into it by what? Not by legislative action. Not by a rule approved by the United States Congress. By an executive branch that's directed out of the White House to write up the rules however they see fit and a President that has the audacity—and that's one of his favorite words, by the way, Mr. Speaker—the audacity to seek to legislate by press conference. Edicts by press conference. It is breathtaking the extra-constitutional reach that's been taken by this President and this administration, and this country needs to rise up and get

back to our constitutional underpinnings. We need to reject ObamaCare.

I want to see this House vote again this summer after the Supreme Court decision, no matter what the Supreme Court decision is, and I'm optimistic about getting a constitutional decision from the Supreme Court. But I want to see this Congress vote again for a 100 percent repeal of ObamaCare so everybody's on record, everybody understands that it must all go. It must all be pulled out by the roots. There can be no vestige of ObamaCare left behind. It's an unconstitutional taking of American liberty. In a vigorous Nation, Mr. Speaker, we cannot reach our destiny if we are tied to the anchor of ObamaCare that directs and rules our lives and consumes about 17 or more percent of our gross domestic product.

And so the difference is this: The troika of HARRY REID, NANCY PELOSI, and Barack Obama has been broken. It was broken in the election of 2010 when they saw the extra-constitutional reach of ObamaCare. They saw the effort on cap-and-trade. They saw Dodd-Frank pass through the House and the Senate and become law, an overreach. You had the people involved in the solution for the economic downward spiral that were contributing to the problem.

There are a whole series of things that we need to put this aright, Mr. Speaker. One of them is to scrub out the regulations that have been put in place in an effort to try to implement cap-and-trade around the resistance of this United States Congress, the separation of powers that's clear in the Constitution itself between the legislative and the executive and the judicial branches of government. I'm just very confident that Barack Obama taught those separations of powers, that the article I component of this that says, Here, this is how we set up the legislature. They set the laws. They set the policy, and the establishment of the executive branch of government whose job it is to carry out the laws and take care that the laws are faithfully executed.

□ 1430

We have a President who apparently encourages someone like Eric Holder to disregard especially immigration laws and only enforce those laws that, let me say, do not make them politically vulnerable. They decided they had 300,000 people that were in this country illegally that had been already adjudicated for deportation, and they said we don't have the resources to enforce the law against everybody that's here illegally, and so they committed their resources to going back through the files, looking through 300,000 forms of people that had been adjudicated for deportation and coming up with a reason or an excuse to try to let them stay in America, to try to turn another blind eye. Those resources had already been used to enforce the law; all they

had to do was follow through with the directive of Congress.

The administration created this new argument that has never been heard before, I think, in the history of jurisprudence that Congress had directed the executive branch—this is in their assertion in the Arizona immigration case—to establish and maintain a “careful balance” between the various immigration laws because it affects the different interests of the executive branch.

Enforcing immigration affects our foreign relations, so the State Department has an interest. It affects our homeland security, so Janet Napolitano has an interest. It affects, perhaps, the educational system, and so you have the Secretary of Education with an interest. And it goes on and on and on. These are not competing interests. Congress has directed that all of these laws be faithfully enforced, and the administration has refused. That's a new approach to, let me say, prosecutorial discretion, Mr. Speaker. It goes on and on.

We have to repeal ObamaCare, repeal Dodd-Frank, pass a balanced-budget amendment to the United States Constitution. It's clear this Congress doesn't have the will to balance the budget. Maybe a simple majority in the House could be convinced to do so; it would be very tough. You can't get it done in the United States Senate. Even if we could balance the budget, we can't keep that happening year after year and pay down and then off this national debt. We need a balanced-budget amendment to the United States Constitution.

My advice, Mr. Speaker, to the next President of the United States would clearly be: refuse to sign a debt ceiling increase as President unless and until the House of Representatives and the Senate of the United States pass an acceptable balanced-budget amendment out of each Chamber that's identical in message to the States for ratification. If we can get that done, then there is a justification to give a short-term extension to our debt ceiling here in this Congress. If not, we need to hold the line until such time as the will is brought into this Congress to bring forth a balanced budget and to pay down and then off our national debt.

My youngest little granddaughter, Reagan Ann King, was born about 19—or maybe now 20 months—ago. Into the world she came with her share of the national debt at \$44,000. I looked at that little girl and I thought, you know, a typical student loan might be \$24,000, might be \$30,000, but she's got a \$44,000 loan and a mortgage on her head with interest accumulating every day, and she has just drawn her first breath. By the time she turned 1 year old, her share of the national debt was \$48,000. And this little blonde-haired, brightest blue-eyed little girl with a beautiful giggle and smile doesn't know what kind of responsibility has been stuck on her by people that are living today

at her expense and the expense of all of those babies that have been born and those yet to be born that will be taxpayers—and only about half of them fit that category today.

So, Mr. Speaker, that little girl turned 1½ years old, and now her \$44,000 debt that was \$48,000 on her first birthday, it became \$51,000 when she's 1½ years old. She's going to be a taxpayer and a producer, and so you have to take that times two because only half the people have a Federal income tax liability.

So, \$102,000 on the head of every American, young and old, that's our national debt. And we've watched trillion-dollar deficits roll up over the last 3½ years. The President's budget came to this floor at \$1.33 trillion in deficit—\$1.33 trillion, Mr. Speaker—and now we're approaching \$16 trillion in national debt and it's got to stop.

We have to turn this country around. The American voters spoke in 2010. They sent 87 freshmen here into this House of Representatives who are constitutional conservatives, and every one of them voted to repeal ObamaCare. They want a balanced budget; they want a balanced-budget amendment. They are God's gift to America.

We need another one in November 2012, and more fresh faces and more vigorous people here that will adhere to repeal of ObamaCare, a balanced-budget amendment, an all-of-the-above energy plan. We need more of the same kind of people in the United States Senate and a President that will sign that legislation into law. I look forward to the privilege to work with those new faces as they arrive here and work to make the case before the American people every day from now until November, and thereafter.

Mr. Speaker, I appreciate your attention, and I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SCHILLING (at the request of Mr. CANTOR) for today on account of attending a family funeral.

Mr. YOUNG of Florida (at the request of Mr. CANTOR) for today on account of a death in the family.

Mr. CLYBURN (at the request of Ms. PELOSI) for today on account of family function.

Ms. MCCOLLUM (at the request of Ms. PELOSI) for today on account of official business in district.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 35 minutes p.m.), under its previous order, the House adjourned until Tuesday, June 5, 2012, at noon 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:

6250. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, United States Special Operations Command case number 09-02; to the Committee on Appropriations.

6251. A letter from the Acting Under Secretary, Department of Defense, transmitting the Accreditation Report for the Armed Force Retirement Home (AFRHS) for Fiscal Year 2011; to the Committee on Armed Services.

6252. A letter from the Surgeon General, Army, Department of Defense, transmitting a report on incentives for recruitment and retention of Army healthcare professionals; to the Committee on Armed Services.

6253. A letter from the Acting Under Secretary, Department of Defense, transmitting a report entitled, "Future Capability of DoD Maintenance Depots"; to the Committee on Armed Services.

6254. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: New Free Trade Agreement with Columbia (DFARS Case 2012-D032) (RIN: 0750-AH72) received May 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6255. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Contingency Contract Closeout (DFARS Case 2012-D014) (RIN: 0750-AH71) received May 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6256. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Utilization of Domestic Photovoltaic Devices (DFARS Case 2011-D046) (RIN: 0750-AH43) received May 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6257. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "Report to Congress on Head Start Monitoring for Fiscal Year 2009"; to the Committee on Education and the Workforce.

6258. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Enhancement of Electricity Market Surveillance and Analysis through Ongoing Electronic Delivery of Data from Regional Transmission Organizations and Independent System Operators [Docket No.: RM11-17-000; Order No. 760] received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6259. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-15, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6260. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-16, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6261. A letter from the Secretary, Department of Commerce, transmitting Periodic

Report on the National Emergency Caused by the Lapse of the Export Administration Act of 1979 for August 26, 2011 — February 25, 2012; to the Committee on Foreign Affairs.

6262. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: International Import Certificate BIS-645P/ATF-4522/DSP-53 and Administrative Changes (RIN: 1400-AC85) received May 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

6263. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Exemption for Temporary Export of Chemical Agent Protective Gear (RIN: 1400-AC71) received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

6264. A letter from the Deputy Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo that was declared in Executive Order 13413 of October 27, 2006; to the Committee on Foreign Affairs.

6265. A letter from the Deputy Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997; to the Committee on Foreign Affairs.

6266. A letter from the Special Inspector General For Iraq Reconstruction, transmitting seventh lessons learned report entitled "Iraq Reconstruction: Lessons in Criminal Investigations of U.S.-funded Stabilization and Reconstruction Projects"; to the Committee on Foreign Affairs.

6267. A letter from the Secretary, Department of Education, transmitting the Department's fiscal year 2011 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

6268. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6269. A letter from the Secretary, Smithsonian Institution, transmitting a copy of the Institution's audited financial statement for fiscal year 2011, pursuant to 20 U.S.C. 57; to the Committee on Oversight and Government Reform.

6270. A letter from the Attorney General, Department of Justice, transmitting the Department's decision not to appeal the decision of the district court in the case of the United States v. Zhen Zhou Wu, et al., No. 08:10386-PBS, 2011 West Law 31345 (D. Mass. Jan 4, 2011); to the Committee on the Judiciary.

6271. A letter from the Clerk of the Court, United States Court of Appeals, transmitting an opinion of the United States Court of Appeals for the Second Circuit United States of

America v. Sergey Aleynikov, docket no. 11-1126-cr; to the Committee on the Judiciary.

6272. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Pacific Sound Resources and Lockheed Shipyard EPA Superfund Cleanup Sites, Elliott Bay, Seattle, WA [Docket No.: USCG-2010-1145] (RIN: 1625-AA11) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6273. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — MARPOL Annex V Special Areas: Wider Caribbean Region [Docket No.: USCG-2011-0187] (RIN: 1625-AB76) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6274. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Annual events requiring safety zones in the Captain of the Port Lake Michigan zone [Docket No.: USCG-2012-0045] (RIN: 1625-AA00) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6275. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Volvo Ocean Racing Youth Regatta, Biscayne Bay, Miami, FL [Docket No.: USCG-2012-0178] (RIN: 1625-AA00) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6276. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; East River, Brooklyn Bridge Scaffolding Repair, Brooklyn, NY [Docket No.: USCG-2012-0263] (RIN: 1625-AA00) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6277. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sunken Vessel, Puget Sound, Everett, WA [Docket No.: USCG-2012-0282] (RIN: 1625-AA00) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6278. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Saginaw River, Bay City, MI [Docket No.: USCG-2011-1013] (RIN: 1625-AA00) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6279. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zones; North Atlantic Treaty Organization (NATO) Summit, Chicago, Illinois [Docket No.: USCG-2012-0052] (RIN: 1625-AA87) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6280. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Anchorage Regulations; Subpart A — Special Anchorage Regulations, Newport Bay Harbor, CA [Docket No.: USCG-2010-0929] (RIN: 1625-AA01) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEE ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. CRENSHAW: Committee on Appropriations. H.R. 5882. A bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2013, and for other purposes (Rept. 112-511). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee Natural Resources. H.R. 2512. A bill to provide for the conveyance of certain Federal land in Clark County, Nevada, for the environmental remediation and reclamation of the Three Kids Mine Project Site, and for other purposes; with an amendment (Rept. 112-512). Referred to the Committee of the Whole House on the state of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 4607. A bill to ensure economy and efficiency of Federal Government operations by establishing a moratorium on midnight rules during a President's final days in office, and for other purposes (Rept. 112-513 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on the Judiciary discharged from further consideration. H.R. 4607 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

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. COLE:

H.R. 5883. A bill to make a technical correction in Public Law 112-108; to the Committee on Oversight and Government Reform.

By Ms. BASS of California (for herself, Mr. DOLD, and Mr. GUTIERREZ):

H.R. 5884. A bill to establish a 1-year pilot program to reduce up-front premiums on FHA mortgage insurance for first-time homebuyers who complete a homeownership counseling program and thereby help to reduce default rates on residential mortgages; to the Committee on Financial Services.

By Mr. BISHOP of New York (for himself and Mr. ISRAEL):

H.R. 5885. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to add New York to the New England Fishery Management Council, and for other purposes; to the Committee on Natural Resources.

By Mr. ISRAEL (for himself and Mr. RYAN of Ohio):

H.R. 5886. A bill to amend the Internal Revenue Code of 1986 to improve the dependent care credit by repealing the phasedown of the credit percentage and making permanent the increased dollar limitations; to the Committee on Ways and Means.

By Mr. LoBIONDO (for himself and Mr. LARSEN of Washington):

H.R. 5887. A bill to authorize appropriations for the Coast Guard for fiscal years 2013 through 2015, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SARBANES:

H.R. 5888. A bill to establish a demonstration program to facilitate physician reentry into clinical practice to provide required primary health services; to the Committee on Energy and Commerce.

By Mr. BARROW:

H. Res. 673. A resolution expressing support for designation of May 2012 as "National Mo-

bility Awareness Month"; 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. CRENSHAW:

H.R. 5882.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. COLE:

H.R. 5883.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 7 which grants Congress the power to establish Post Offices and post roads.

By Ms. BASS of California:

H.R. 5884.

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 1.

Article I.

Section 8.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. BISHOP of New York:

H.R. 5885.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. ISRAEL:

H.R. 5886.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. LoBIONDO:

H.R. 5887.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. SARBANES:

H.R. 5888.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. MICHAUD, Mr. COHEN and Ms. DEGETTE.

H.R. 100: Mr. QUAYLE.

H.R. 140: Mr. QUAYLE.

H.R. 273: Mr. HERGER, Mr. SCHOCK, and Mr. CRAWFORD.

H.R. 458: Mr. CROWLEY.

H.R. 692: Mr. QUAYLE.

H.R. 718: Ms. BERKLEY.

H.R. 904: Mr. TERRY.

H.R. 1066: Mr. CLARKE of Michigan.

H.R. 1112: Mr. MATHESON and Mr. GRIFFIN of Arkansas.

H.R. 1116: Ms. WILSON of Florida and Mr. DINGELL.

H.R. 1206: Mr. CLAY.

H.R. 1317: Ms. DELAURO.

H.R. 1327: Ms. SCHAKOWSKY.

H.R. 1375: Mr. LIPINSKI, Mr. COURTNEY, and Mr. CAPUANO.

H.R. 1381: Ms. BONAMICI.

H.R. 1519: Mr. SHULER, Mr. ROSS of Arkansas, and Mr. LARSEN of Washington.

H.R. 1562: Mr. RAHALL, Ms. MOORE, Mr. PETERSON, and Mr. BOREN.

H.R. 1596: Mr. PASCRELL.

H.R. 1639: Mr. PEARCE, Mr. HALL, Mr. GOHMERT, Mr. MCCLINTOCK, Mr. GINGREY of Georgia, Mrs. SCHMIDT, and Mr. RUPPERSBERGER.

H.R. 1672: Mr. CLEAVER.

H.R. 1821: Mrs. CHRISTENSEN.

H.R. 1867: Mrs. LOWEY and Mr. MILLER of North Carolina.

H.R. 1956: Mr. PRICE of Georgia, Mr. BILIRAKIS, and Mr. WALBERG.

H.R. 1960: Mr. CONYERS and Mr. MICHAUD.

H.R. 2000: Mr. HUNTER.

H.R. 2012: Mr. ANDREWS.

H.R. 2057: Mr. NUGENT.

H.R. 2077: Mr. PAULSEN.

H.R. 2086: Mr. WELCH.

H.R. 2139: Mr. LANKFORD.

H.R. 2140: Mr. PLATTS.

H.R. 2267: Ms. ROYBAL-ALLARD, Mr. PETRI, Ms. MOORE, and Mr. CARNEY.

H.R. 2494: Mr. CAPUANO.

H.R. 2528: Mr. LONG.

H.R. 2529: Mr. BRADY of Texas.

H.R. 2569: Mr. GIBSON.

H.R. 2678: Ms. JACKSON LEE of Texas and Mr. HINOJOSA.

H.R. 2962: Mr. CRENSHAW and Mr. BROUN of Georgia.

H.R. 2969: Mr. LOEBSACK.

H.R. 3042: Ms. CHU and Ms. HAHN.

H.R. 3067: Mr. POSEY, Ms. ZOE LOFGREN of California, Ms. SUTTON, Mr. AUSTRIA, Mr. GEORGE MILLER of California, Mrs. DAVIS of California, Mrs. CAPPES, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 3086: Mr. CUMMINGS and Mr. MCDERMOTT.

H.R. 3158: Mrs. MILLER of Michigan.

H.R. 3173: Mr. MCDERMOTT.

H.R. 3269: Mr. OLVER, Mr. SCHIFF, and Mr. LEWIS of Georgia.

H.R. 3341: Mrs. NAPOLITANO.

H.R. 3352: Mrs. MCCARTHY of New York and Ms. CLARKE of New York.

H.R. 3395: Mr. KELLY and Mr. CLAY.

H.R. 3399: Mr. RANGEL.

H.R. 3423: Ms. BALDWIN.

H.R. 3482: Mr. HINCHEY.

H.R. 3511: Mr. GINGREY of Georgia, Mr. WALBERG, Mr. CHABOT, Mr. FLEMING, Mrs. BLACKBURN, Mr. DESJARLAIS, Mr. FRANKS of Arizona, and Mr. HUIZENGA of Michigan.

H.R. 3612: Mr. CALVERT.

H.R. 3668: Mr. CARSON of Indiana.

H.R. 3720: Mr. CULBERSON.

H.R. 3762: Ms. MCCOLLUM.

H.R. 3803: Mr. TURNER of New York.

H.R. 4066: Mr. BURGESS.

H.R. 4091: Mr. JOHNSON of Ohio.

H.R. 4096: Mr. KING of New York.

H.R. 4134: Mr. RIGELL.

H.R. 4164: Mr. BASS of New Hampshire.

H.R. 4259: Mrs. BACHMANN.

H.R. 4269: Mr. LONG.
 H.R. 4282: Mr. NEAL.
 H.R. 4323: Mr. CAMPBELL and Mr. PETERS.
 H.R. 4336: Mr. DUFFY and Mr. GIBSON.
 H.R. 4367: Mr. ROSKAM, Mr. SMITH of Texas, Mr. LONG, Ms. MOORE, and Mr. BOREN.
 H.R. 4403: Mr. SCHWEIKERT and Mr. CRAWFORD.
 H.R. 4405: Mr. MARINO.
 H.R. 4406: Mr. PETERS and Mr. HUIZENGA of Michigan.
 H.R. 4454: Mr. NUNNELEE.
 H.R. 4470: Mr. BUTTERFIELD, Ms. MOORE, Mr. NADLER, and Mr. ACKERMAN.
 H.R. 5188: Mrs. MCCARTHY of New York and Ms. CHU.
 H.R. 5195: Mr. CARNAHAN, Mr. DEUTCH, and Mr. BURTON of Indiana.
 H.R. 5646: Mr. KELLY.
 H.R. 5705: Mr. KIND, Mr. LARSON of Connecticut, and Ms. MOORE.
 H.R. 5714: Mr. CAPUANO and Mr. SHERMAN.
 H.R. 5736: Mr. ROHRBACHER.
 H.R. 5745: Ms. LEE of California and Mr. CONYERS.
 H.R. 5796: Mr. BURTON of Indiana, Mr. NADLER, Mr. YOUNG of Indiana, Mr. TURNER of New York, Mr. SMITH of Nebraska, Mr. WILSON of South Carolina, Mr. JOHNSON of Illinois, and Mr. MICHAUD.
 H.R. 5823: Mr. SCHIFF.
 H.R. 5842: Mr. BRADY of Texas, Mr. ROSS of Florida, Mr. BENISHEK, Mr. HECK, Mrs. McMORRIS RODGERS, Mr. LUETKEMEYER, Mr. MILLER of Florida, Mr. BERG, Mr. POMPEO, Mrs. ELLMERS, Mr. BURTON of Indiana, Mr. GOSAR, and Mr. POSEY.
 H.R. 5846: Mr. AKIN, Mr. CONAWAY, and Mr. BROOKS.
 H.R. 5848: Mrs. DAVIS of California.
 H.R. 5864: Mr. DINGELL.
 H.R. 5873: Mr. WALDEN and Mr. GIBBS.
 H. Res. 187: Ms. SLAUGHTER and Mr. SABLAN.
 H. Res. 397: Mr. DUNCAN of Tennessee and Mr. YOUNG of Alaska.
 H. Res. 484: Ms. HIRONO, Mr. BACA, Mr. HONDA, Mr. SCHIFF, and Ms. CHU.
 H. Res. 490: Mr. DUNCAN of Tennessee.
 H. Res. 506: Mr. SHERMAN.
 H. Res. 616: Mrs. HARTZLER.
 H. Res. 618: Mr. CUMMINGS, Ms. BROWN of Florida, and Ms. LORETTA SANCHEZ of California.
 H. Res. 624: Mr. GRIFFIN of Arkansas.
 H. Res. 646: Mr. KELLY and Mr. PALAZZO.

AMENDMENTS

Under clause 8 or rule XVIII, proposed amendments were submitted as follows:

H.R. 5325

OFFERED BY: MR. BURGESS

AMENDMENT No. 9: Page 30, line 25, after the dollar amount, insert "(reduced by \$100,000,000)".

Page 56, line 24, after the dollar amount, insert "(increased by \$100,000,000)".

H.R. 5325

OFFERED BY: MR. BURGESS

AMENDMENT No. 10: At the end of the bill, before the short title, insert the following new section:

SEC. ____ . None of the funds made available in this Act may be used—

(1) to implement or enforce section 430.32(x) of title 10, Code of Federal Regulation; or

(2) to implement or enforce the standards established by the tables contained in section 325(i)(1)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6295(i)(1)(B)) with respect to BPAR incandescent reflector lamps, BR incandescent reflector lamps, and ER incandescent reflector lamps.

H.R. 5325

OFFERED BY: MR. GOHMERT

AMENDMENT No. 11: At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used by the Department of Energy for the new construction, purchase, or lease of any facility, land, or space in the District of Columbia except where a contract for the construction, purchase, or lease was entered into before the date of the enactment of this Act.

H.R. 5325

OFFERED BY: MR. TIPTON

AMENDMENT No. 12: At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used to conduct a survey in which money is included or provided for the benefit of the responder.

H.R. 5325

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 13: Page 20, lines 17 through 23, strike "Provided further" and all that follows through "6864(a):".

H.R. 5325

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 14: At the end of the bill (before the short title) insert the following:

SEC. ____ . None of the funds made available by this Act may be used by the Department of Energy Advanced Research Projects Agency—Energy to provide awards to projects

with expected Technology Readiness Levels (TRL) of TRL-7, TRL-8, or TRL-9 at the end of the project, as described by the ARPA-E eXCHANGE User Guide (updated March 1, 2012).

H.R. 5325

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 15: At the end of the bill (before the short title) insert the following:

SEC. ____ . None of the funds made available under this Act for the Advanced Research Projects Agency—Energy may be used for unallowable expenditures related to advertising, promoting the sale of products or services, and raising capital in contravention of the requirements of sections 31.205-1 and 31.205-27 of title 48 of the Code of Federal Regulations.

H.R. 5325

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 16: At the end of the bill (before the short title) insert the following:

SEC. ____ . None of the funds made available by this Act may be used by the Department of Energy to subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) or to subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.10 of title 10 of the Code of Federal Regulations.

H.R. 5325

OFFERED BY: MR. CRAVAACK

AMENDMENT No. 17: At the end of the bill (before the short title) insert the following:

SEC. ____ . None of the funds made available by this Act may be used by the Department of Energy to require grant recipients to replace any lighting that does not meet or exceed the energy efficiency standard set forth in section 325 of the Energy Policy and Conservation Act (42 U.S.C. 6295).

H.R. 5325

OFFERED BY: MR. HARRIS

AMENDMENT No. 18: At the end of the bill (before the short title) insert the following:

SEC. ____ . None of the funds made available under this Act may be used to fund any portion of the International program activities at the Office of the Department of Energy with the exception of the activities authorized in section 917 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17337).