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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 12, 2012.

I hereby appoint the Honorable ANN MARIE BUERKLE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

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

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

CREDIT UNIONS

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

Mr. BLUMENAUER. In meeting with hundreds of constituents and dozens of small business this summer, one theme emerges repeatedly: The price that American families and small business continue to pay for the near collapse of our economy.

Earlier this year, new examples emerged of manipulation that was harmful, and in some cases potentially illegal, by Wall Street in New York and Fleet Street in London. Financial interests continue their assault on even modest reforms in the Dodd-Frank financial legislation protections for consumers and for the financial system itself. Now, clearly, the elements are a little overly complex and not perfect, but, in part, that's the result of aggressive action from the industry itself assaulting the regulatory process.

On the campaign trail, Governor Romney and his running mate argue for less protection and a return to largely self-regulation of banks that nearly brought the global economy to its knees.

At the same time, the Republican Party's response to the challenges of the mountain of student debt is first to reduce the funding for Pell Grants that help make college more affordable for low-income students, and then they would help fewer student borrowers but help more bankers by giving the lending business back to the private sector—backed by a government guarantee, by the way. Hardly a free-market solution.

Governor Romney famously pointed out that if this doesn't work for you, you can always borrow from your parents. I think most people, not just Republicans or Democrats, Independents, believe that's not the solution. It's more of the problem, even for those students who have parents that could finance them.

There are things that we can do. We should, of course, fight to protect the reforms and the restraints on Wall Street and protect direct, lower-cost lending to college students, but we also might inject a little more competition into the financial marketplace.

Now, for millions of Americans, a little competition to the big banks comes from credit unions who are more on the scale of a community bank. Most are small to medium-sized, very local, and nonprofit, with a volunteer, membership board of directors.

That nonprofit status is important. They not only don't pay taxes; they're not paying dividends to stockholders or multimillion dollar bonuses to CEOs. They use that advantage to lower costs and improve service.

Credit unions are currently prohibited from lending more than 12.25 percent of their assets to business. Now legislation has been proposed to raise this lending cap to a little more than a quarter of the assets. That would be ideal for small business lending.

It wasn't the credit unions on Main Street that almost brought the economy to its knees; it was Wall Street gamblers and, too often, cheaters in the financial sector. They were skirting the law and, in some cases, breaking it. Maybe it's time that we give small businesses a boost by giving commercial banks a little competition.

I hope my colleagues will not just sponsor H.R. 1418, the Small Business Lending Enhancement Act of 2011, but also be an advocate. It will be a strong signal that we truly want competition in the financial arena, that actions have consequences, and small and emerging businesses are our priority. Let's give small business more choices for financing they need, and let's help credit unions get more capacity to meet that need.

ATTACKED AGAIN ON 9/11

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

Mr. POE of Texas. Madam Speaker, yesterday was the 11th anniversary of the attack on America from 9/11 in 2001 where Americans were killed, and it was an act of terrorism. Yesterday Americans were attacked again in two attacks, in Egypt and in Libya, apparently terrorists attacking us again on 9/11.

The Embassy in Egypt was stormed, the American flag was brought down,

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and a black flag was raised by those that stormed the compound. In Libya, the consulate was attacked, set afire, and our Ambassador to Libya, Chris Stevens, was murdered and apparently, according to the BBC, his body was carried through the streets of Benghazi.

Both of these places are U.S. sovereign soil, the consulate and the Embassy. The groups or individuals that committed these acts must be found. There's no evidence yet that there was any act by either one of these two governments but by individuals or even by groups.

In Libya, al Qaeda cousins, as I call them, the Ansar al-Sharia, claims responsibility for the murder of our U.S. Ambassador. It's no coincidence that these two attacks occurred nearly at the same time, and they both occurred on the anniversary of September 11.

Immediately, the attackers blamed a movie that was produced as the reason, an excuse and justification for murdering. It's never the fault of a movie; it's never the fault of the United States; it's never the fault of western culture that people are murdered in the name of religion. It's the responsibility and it's the fault, of individuals. The people that need to be held accountable are the ones who committed these specific acts of terror against the United States.

In the past, the United States has always held and went after those that were responsible for this type of conduct. In 1998, when the Kenyan Embassy was attacked and Americans were killed, we responded. Of course we responded in 9/11. We responded after the first World Trade Center bombing. In 1996, when 19 American soldiers were murdered in Saudi Arabia, we responded. In fact, President Bill Clinton said this:

> The cowards who committed this murderous act must not go unpunished. We will not rest in our efforts to find who is responsible for this outrage, to pursue them and to punish them.

After 9/11, President Bush made this comment:

> The search is under way for those who are behind these evil acts. I've directed the full resources of our intelligence and law enforcement communities to find those responsible and bring them to justice.

Madam Speaker, the United States must always respond to terrorists, and we must let them be reminded again and again we will respond in an appropriate manner as we did on 9/11. We must respond today, and we must respond tomorrow. I am encouraged that the President will soon address the Nation on what our response will be.

We must hold those responsible personally accountable because we must let people understand that they need to leave us alone. That is what that message needs to be. We must have justice in these terrorist attacks by these individuals against Americans because, Madam Speaker, justice is what we do in America.

And that's just the way it is.

HONORING PETALUMA NATIONAL LITTLE LEAGUE ALL-STARS

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

Ms. WOOLSEY. Madam Speaker, I rise today to salute the Little League 12-year-old All-Stars from my hometown of Petaluma, California. I salute them for their amazing run in the 2012 Little League World Series. I couldn't be prouder of the way they represented our community and themselves.

□ 1010

Even though they fell short of the championship, they distinguished themselves as one of this year's best youth baseball teams, finishing second in the country and third in the world. Even in their final loss to Tennessee, they showed fierce determination, rallying for a 10-run comeback to force extra innings. Each and every player contributed to the effort.

Bradley Smith led the way with an astounding .636 batting average, a tournament-leading 14 hits, a record-breaking 6 doubles, and 11 RBIs, as well as great fielding and pitching. Hance Smith hit .429, leading the team with 4 home runs and knocking more home runs—12—than any other player in the tournament. Daniel ''Danny'' Marzo hit .348 with a walk-off home run against New Jersey, on top of his outstanding pitching. Cole Tomei batted .333 with clutch hitting and dazzling third-base defense that actually reminded many of Brooks Robinson.

Logan Douglas, who provided great all-around leadership and topnotch relief pitching, also had a .318 batting average, and his 11 runs scored were the second-highest in the tournament. Catchers Austin Paretti and James O'Hanlon provided perfect handling of the pitching staff, with James ''Jay-O'' contributing timely hits and Austin adding eight runs scored in only eight at-bats.

Dylan Moore, Blake Buhrer, and Kempton Brandis all contributed clutch performances, including Kempton's two home runs against Tennessee, Blake's big hit to spark a rally against New Jersey, and Dylan's overall solid work in the field, on the mound, and at bat. Porter Slate scored eight runs out of the leadoff spot while playing stellar defense at second base. Quinton Gago's home run against the Southwest would still be going if it hadn't hit the side of a hill. And his dominant pitching performance against Texas gave the team a huge lift. Andrew White provided outstanding relief pitching, not just in the Little League World Series, but throughout district 35 and regional play.

Madam Speaker, not enough can be said about the coaching staff: Manager Eric Smith, Trevor Tomei, and Mike Slate. Their commitment to the team and to the families was nothing short of remarkable. They just didn't teach the boys skills and fundamentals; they instilled in them poise, determination, and drive.

The Petaluma National League All-Stars are talented ballplayers, but they also succeeded because of grit, hustle, and desire. They revealed themselves to be young men of maturity and strong character. They demonstrated sportsmanship in victory and in defeat. They were models of teamwork and discipline, qualities that will serve them well throughout their lives. These boys exemplify what is best about youth sports, being true to the mission and values of Little League baseball. Their performance on and off the field is a testament to their coaches, their parents, their teachers, and their individual character. These boys are unquestionably champions. They are tomorrow's leaders, and they give confidence for our country's future.

AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Yesterday was a remembrance of a tragedy beyond belief that happened to America on 9/11. There's another tragedy taking place, but it happens to be in Afghanistan. The tragedy is our young men and women are going there to give their life for a corrupt leader and a policy that will never change Afghanistan.

During the August break I had the privilege, like most Members of Congress, to be in my district to speak to numerous civic clubs. Two of the clubs I spoke to were retired military groups, one being the American Legion. Every time I talked about the failed policy in Afghanistan and the need to bring our troops home, I got applause. And I'm not a great speaker. But our military has done everything that it can do.

Three marines from my district at Camp Lejeune were in Afghanistan training Afghans to be policemen, and one of the trainees turned around and shot and killed three marines. This isn't the first time it's happened, and it's not the first time that I've lost marines from the Third District of North Carolina. But the person they were training was an Afghan officer in the police force. It is an absolutely unwinnable situation. The purpose that the former President, Mr. Bush, said we're going to Afghanistan for is to get bin Laden. Well, he's dead. To disperse al Qaeda. It is dispersed.

On the 20th, which is next Thursday, we're going to hold a bipartisan news conference with the author of a book called ''Funding the Enemy,'' by Douglas Wissing, who spent a number of years embedded with our military in Afghanistan. He has seen the tragedy of the money going to Afghanistan ending up in the coffers of the Taliban to

buy weapons to kill our young men and women.

If I could advise Mr. Romney and Mr. Obama, I would say: Listen to the American people on our policy in Afghanistan, because the American people want our troops home. I hear both sides complaining about the debt, the cliffs, sequestration, and all these things. And yet we're spending $10 billion a month in Afghanistan. And, as ''Funding the Enemy'' says, we can't even account for most of it. Yet we're going to cut programs here for children and senior citizens. But no, we don't even debate Afghanistan on the floor of the House. That is the tragedy.

Just a few of us on both sides have been speaking out constantly on the failed policy in Afghanistan. The former commandant who has been my adviser for 3 years—I'm not at liberty to say his name for the RECORD—he has said to me:

> What do we say to the mother, the father, the wife of the last marine or soldier killed to support a corrupt government and a corrupt leader in a war that cannot be won?

Congress needs to awaken to the fact that we need to bring our troops home in 2013—the spring of 2013 and not the end of 2014.

Madam Speaker, next week I will go to Walter Reed. I will visit the wounded from Afghanistan, some from Iraq. And I will leave with a heavy heart because I will see the broken bodies. I will see the young men and some women that have lost legs, other parts of their bodies, some paralyzed from the waist down, some with burned faces. And yet the Congress sleeps through this war. I ask my friend on both sides, when we get back in November, let's pass a resolution saying that we need to bring our troops home in 2013.

Madam Speaker, before closing, I've signed over 10,855 letters to families and extended families in America because of my weakness and my mistake on Iraq, a war that never had to be fought. Look at Iraq today. It's falling apart. It's time for us to stop trying to build empires and to rebuild America.

ISSUES FACING THIS CONGRESS

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

Mr. CONNOLLY of Virginia. Madam Speaker, Republicans have pursued an obstructionist agenda since taking control of this body, cynically willing, seemingly, to risk even harm to our economy for political gain. The refusal of House Republicans to even consider compromise has resulted in the 112th Congress becoming among the least productive Congresses ever. The 112th Congress looks like a Potemkin Congress when it comes to measured productivity.

Consider the most simple, straightforward metric: the number of laws passed per Congress. The legislative output of this Congress, a mere 173 public laws passed, is a pittance when compared to the 900 public laws passed by what was called the do-nothing Congress of the Truman era, or the 333 public laws passed in an era of divided government in the 104th Congress.

□ 1020

Or consider one of our most fundamental constitutional responsibilities, funding the government. Once again, the 112th Congress distinguishes itself for sheer incompetence, having managed to pass zero appropriations bills. The 112th Congress looks even worse when directly compared to the Democratic-led 111th Congress, which boasted a productivity level on par with the legislative records during the era of Franklin Delano Roosevelt and Lyndon Baines Johnson in the thirties and sixties, respectively.

The landmark legislation enacted in the 2-year period between 2009 and 2010, from the Recovery Act, the health reform bill, financial regulation, put the meager output of this current Congress to shame.

Further, beyond these big three, at least a dozen other important bills were passed during that time period, including legislation addressing fair pay, student loans, consumer protection, national service, stem cell research, and food safety.

The American people are tired of business as usual. They are tired of Congress waiting until the last possible moment to avert yet another disaster. They are certainly tired of this House returning from a 37-day summer vacation only to hold a couple of show votes this week before rushing Members out of town again next week, leaving in their wake a sea of critical work that remains undone.

Our country faces serious, daunting challenges that demand action now, which is why I advocated canceling the August recess.

The House now has an opportunity to take decisive action in the coming days on at least two major deadline issues facing Congress: passing a 5-year farm bill and enacting comprehensive postal reform.

Despite the 112th Congress being among the least productive and the most dysfunctional in history, the Senate, not known for its speed, has managed to engage in constructive cooperation and addresses both of these issues in an overwhelmingly bipartisan manner.

On two of the most urgent matters facing this Congress, the Senate has exposed the extreme intransigence of this House Republican majority. Two Republicans, a Democrat, and an Independent, developed the 21st Century Postal Service Act of 2012 which passed the Senate with overwhelming bipartisan support.

On the vital 5-year reauthorization of the farm bill, the Senate again developed a reform bill, the Agriculture Reform, Food, and Jobs Act of 2012, and also passed it with a bipartisan supermajority.

Compromise is at the heart of these bipartisan measures, which are far from perfect and contain provisions I would oppose. However, both bills contain provisions vital to saving the postal service, safeguarding the health of Americans and the American agricultural industry, and providing a critical safety net for American families.

In my perfect world, we would pass my Reform the Postal Service for the 21st Century Act. And I'm sure in the House Republicans' perfect world, we'd pass their House Postal Reform Act of 2011. But in the real world, I do not believe either of our constituents sent us here to stubbornly fight for the partisan perfect at the expense of the American good.

If Republican leadership are willing to compromise on behalf of the American people, they will take up and pass the bipartisan bills, S. 1679 and S. 3240, this week or next. I realize I risk appearing naive for even proposing compromise by taking up and passing Senate bills. But my own experience with my predecessor in the 11th District of Virginia gives me hope.

As many of my colleagues are aware, even though former Congressman Tom Davis is a Republican and I'm a Democrat, we get together and we like to say that we belong to the same political party—the party of getting things done. We have roots in local government and that's the ethos of local government, and I appreciate his generosity in working with me in the transition to the 111th Congress.

I recall one extended transition meeting at a local Denny's. We were talking. There was a waitress that was going back and forth. We kind of thought she would recognize us, maybe want to say ''hello.'' In fact, she said, ''You need to move on. I need that table.''

That's where the American people are. They want us to move on and get our business done so they can get on with theirs.

FARM BILL

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from South Dakota (Mrs. NOEM) for 5 minutes.

Mrs. NOEM. Madam Speaker, today, I wanted to bring to the attention of my colleagues something that is of utmost importance to this country and our food supply and to this Nation's farmers and ranchers. It is the importance of getting a farm bill done.

Growing up on a farm in South Dakota and then farming for years with my family, I certainly recognize how volatile the agriculture industry is. Our producers invest in seed and fertilizer, they put it in the dirt, and they hope that that fall that they have the opportunity to come back and harvest something that will provide for their family and provide food for this country and for this Nation.

The crops that are grown are relied upon to fulfill the need that we have in

this country and across the world. Farming's risky, but because growing our food is in the interest of our national security, we provide a safety net that keeps our farmers on the land in good times and in bad times.

As you can see from these maps that I have here with me today, we are suffering through one of those tough times right now. Farmers can't control Mother Nature. Our farmers are facing one of the worst droughts that we've seen in decades. You just have to talk to a veteran farmer today to say that they haven't seen an instance like this since probably the thirties where we had such widespread, long-standing drought that they are suffering through. It has a real impact on folks in rural America, and the rest of America relies on that food to feed their families.

I want my colleagues to get a picture of just how important the farm bill is to this country and to people in the real world. While it may be easy to ignore the drought if you're in Washington, D.C. or in other parts of the country, when I go home every weekend, and when I was home and traveling all across our State throughout August, it was everywhere around me.

Just yesterday I had the chance to sit down with a couple of producers from South Dakota. Brent and Barb were here from Houghton, South Dakota, and it was evident to me that when I visited with them that their concern was more for the next generation than for getting through a couple of tough days right now.

They spoke of their sons, the love they have for their land, and the responsibility that they feel in feeding this country and making sure that we have a future where the United States can grow its own food to provide for its own people.

They wrote me a letter about what the farm bill means to them, and I wanted to read part of that letter to you:

> I know you share our feelings on the importance of the bill. It is not only necessary to us now, but also for our three sons who want to continue our farming operation which has been in our family for four generations. We are so thankful and proud that they want to return to the farm and we want to do all we can to provide them with the same opportunities we have had. The crop insurance portion of the farm bill has truly helped us in the past as we have struggled with wet conditions over parts of the last 20 years. Because of excess moisture, there have been years when we farmed less than half of our total cropland. Now, the tables have turned and we are experiencing drought conditions in some areas of South Dakota and we will again be relying on crop insurance. It is so important to our family farming operation as a business. It has allowed us to stay in business through the tough years.
>
> The safety net this farm bill would provide is crucial to not only rural farmers like us, but our State and country as a whole.

Brent and Barb and other producers across America are in town this week. They were asking this House to take action on a farm bill to give them the certainty that they need to have confidence to plant next year's crop. It will support both rural America but also every single family that's out there buying groceries today.

Later this morning, I'm going to be joining them at a rally that's called the Farm Bill Now rally. And I'll be asking my colleagues to take action to pass a farm bill. We need to get that farm bill done to know what the policies are going to be in the next 5 years. It's right for our producers, it's right for our ranchers and farmers, it's right for this country, and for every family out there who's wanting to put food on the table that they can afford through these tough times.

□ 1030

LIBYA

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

Mr. DREIER. Madam Speaker, back in 2009, my good friend and the cochair of the House Democracy Partnership, DAVID PRICE of North Carolina, and I had the opportunity to visit former General—and at that time, U.S. Ambassador—Karl Eikenberry, Ambassador to Afghanistan.

We were at the Ambassador's residence in Kabul, and I was struck with a statement that was made by General Ambassador Eikenberry. He said we have a tendency, as Americans, to express appreciation to men and women in uniform, those men and women who served in our Nation's Armed Forces around the world, but too rarely do we extend our appreciation to the men and women who represent the United States of America in the Foreign Service as diplomats around the world, and General Eikenberry encouraged us to do that. And Mr. PRICE and I have consistently done that in the visits of the House Democracy Partnership to the 17 countries with which we've partnered over the past 7 years.

I have to say that 3 years later, just a few months ago, Mr. PRICE and I were leading a delegation to Afghanistan and we recounted that story to our great diplomat, Ryan Crocker, the U.S. Ambassador to Afghanistan. Ambassador Crocker, when we shared the story with him, reminded us that more U.S. Ambassadors have been killed since the Vietnam War than generals or admirals. We know that down at the Harry S. Truman Building, there is a plaque that lists the names of the 231 U.S. diplomats who have been killed since the first death in 1780. And, Madam Speaker, I have to say that the news that we have of the tragic death of Ambassador Chris Stevens in Benghazi, the U.S. consulate in Libya, is very sad news for all of us.

Now, the upheaval in the Arab world has brought about many great things. For the first time in millennia, there are individuals who have been able to participate in elections and make decisions. But then we get the sad and tragic news that Ambassador Stevens and, according to the early reports, two marines, maybe another Foreign Service officer, were killed in this tragic attack.

I would like to say that we have spent time there. We were just in Libya, Mr. PRICE and I, just a few weeks before Ambassador Stevens arrived, and Libya is a place that has held out great promise. I am determined, as I know Mr. PRICE is, to ensure that the promise that we saw several weeks ago in Libya will not be shattered by the tragic death of Ambassador Stevens.

Madam Speaker, I'm pleased to be joined by my dear friend and colleague, Mr. PRICE, and would like to yield to him at this point.

Mr. PRICE of North Carolina. I thank my colleague for yielding.

Mr. DREIER and I have partnered for many years in the work of the House Democracy Partnership, which we and many others in this body believe in very deeply—that we need to be good colleagues, not just nationally, but internationally. And we need to reach out in ways that can strengthen democracy, strengthen representative institutions, in countries that are friends of our country. We can help encourage and strengthen those parliaments. That's exactly why we visited Libya back in the spring, a delegation led by Mr. DREIER. We were there a few weeks before Ambassador Stevens arrived.

We were struck by the promise of Libya. Of course they've had 42 years of dictatorial rule. The country has been liberated through the efforts of NATO allies. There are still major challenges—obviously, security challenges, as we are learning in a tragic way today—but the country is gradually being secured. Constituent assembly elections have been held and parliamentary elections are on the way. So we have great hope for Libya. We have been and we will be a friend to Libya in helping to realize the promise of the Arab Spring.

Our solemn purpose here today is to mark this tragic loss, the eighth Ambassador in U.S. history to be killed in the line of duty. Our personnel in Libya are dedicated personnel, the best that the U.S. has to offer. The work that they're doing there is challenging and dangerous. The work promotes our national interest and is very, very valuable to Libya and to us. This horrible tragedy is one that we want to mark in this House here today, as we honor the victims of this attack and those who continue to serve.

Mr. DREIER. I thank my friend for his contribution.

Madam Speaker, if I may simply extend condolences to the loved ones of Ambassador Stevens and to say that we need to ensure that those who are responsible for this tragic death are brought to justice. And we need to do everything that we can to continue to encourage the development of the rule

of law, self-determination, political pluralism, and, as Mr. PRICE has just said, the development of democratic institutions around the world. It's a universal right, and the United States of America is the single best model for that.

So our thoughts and prayers, again, are with the loved ones of Ambassador Stevens.

WE FIDDLE WHILE THE FISCAL FIRES BURN

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

Mr. HOYER. Madam Speaker, first I want to, of course, associate myself with the remarks from Mr. DREIER and Mr. PRICE, who have done such terrific work on the spread of democracy, but also to lament the tragic loss of life and the courage displayed by our men and women in our Foreign Service who are deployed abroad to represent the United States, its democracy, and its principles.

Madam Speaker, I regretfully rise, however, to talk about another unhappy subject. Our fiscal house is burning, and in Washington we continue to play and fiddle. We have another 8, perhaps 13, days left, or less than that. I don't know whether we're going to be here in October, but I do know that we're going to be here for a very short time—this week, frankly, doing message bills.

The middle class tax cut which passed the Senate lays fallow somewhere, not brought to this floor, to assure that our middle class citizens would understand that they weren't going to get a tax increase on January 1, give them confidence, give our economy confidence, to help grow our economy.

We have not assured our doctors that the payments for Medicare services to patients will in fact be available. We have not taken substantive action to set aside the sequester with a balanced plan.

There will be a bill on sequester. That will be largely opposed on our side of the aisle because it does not provide for balance. It simply says set aside the sequester, which is the direct result of Republican policies. In fact, the Republicans have offered two bills on the floor which say that sequester is the option of choice if you don't meet certain numbers. They did that in their Cut, Cap and Balance bill, which was enforced how? Through sequestration.

We understand that sequestration is an irrational act. Why is it an irrational act? Because it is as if you have a food budget and a movie budget at home and you have tight finances that week, that month, that year. You don't cut your food budget exactly the same as you cut your movie budget. You say, We're going to forego a movie and make sure we have healthy food on the table. That's what we ought to do.

We ought to have a strategic way and a balanced way to get this deficit that is out of control and needs to be handled under control, and the best way to turn off the sequester is a balanced plan. But what we will see offered on this floor is not a balanced plan, but a plan which says, Do it our way or no way.

Now, very frankly, that's been the history of this Congress. I've served in 16 Congresses. This is the least productive Congress in which I've served. Now, that view is shared by two scholars, Thomas Mann and Norman Ornstein, who wrote in a book and wrote in an op-ed:

> We've been studying Washington politics in Congress for more than 40 years and never have we seen them—meaning the Congress of the United States—as dysfunctional.

The American public share that view, of course, and our poll numbers reflect it; properly so.

Mr. Mann and Mr. Ornstein go on:

> In our past writings, we have criticized both parties when we believed it was warranted. Today, however, we have no choice but to acknowledge that the core of the problem lies with the Republican Party.

They went on to say:

> The GOP has become an insurgent outlier in American politics. It is ideologically extreme, scornful of compromise, unmoved by conventional understanding of facts, evidence, and science, and dismissive of the legitimacy of the political opposition and, therefore, unwilling to compromise.

That's what our gridlock is caused by, an unwillingness to compromise.

The Senate has passed a farm bill. The Senate has passed a farm bill which would help farmers threatened by drought. As a matter of fact, their own committee has reported out a farm bill, but that farm bill has not been brought to the floor because, apparently, the majority of Republicans aren't for a farm bill. So even their own bill is not brought to the floor, much less a bipartisan-passed farm bill in the United States Senate which could be passed and would get a significant number of Democratic votes—not because we believe it's exactly what we want, but because we believe it is a compromise that will work for America and America's farmers.

□ 1040

Ladies and gentlemen, Madam Speaker, the American public ought to know that in the next few days we're not going to be doing much of anything; not on jobs for Americans, not on the fiscal cliff that confronts us, not on farm bills, not on the Violence Against Women Act, which also passed the United States Senate in a bipartisan, overwhelming fashion. No, we fiddle. We fiddle while the fiscal fires burn.

I would urge my colleagues on both sides of the aisle, my Democratic colleagues and my Republican colleagues—I don't think we're going to get anything done before November 6. I think it's going to be politics, politics as usual. The American public and America will suffer for that. But I think that's what's going to happen.

But I urge my colleagues on both sides of the aisle, and Madam Speaker, I would urge the American people to demand of us that we not perceive the lame duck session as simply a time to further fiddle. It ought to be a time, my colleagues, when we act, we come together, we adopt a balanced, fair plan to get the fiscal house of America in order, to put ourselves on a fiscally sustainable path that is credible, that people believe in, so that the rating agencies, which are now talking about perhaps downgrading the United States of America, the most creditworthy Nation on Earth—why? Not because we don't have the resources to solve our fiscal problems but because they do not perceive that we have the political will and willingness to do so or the courage.

My colleagues, Americans expect more of us. We ought to expect more of ourselves. We have an obligation, a responsibility. We swore an oath to protect and defend not only the Constitution but the welfare of this country.

Putting our country on a fiscally sustainable path is absolutely essential. I don't think we're going to do it before November 6, but I would hope every one of us, every one of us who comes back here the second week in November, or the end of the second week of November, will pledge ourselves to work together, as Americans, not as Democrats, not as Republicans, not as conservatives, not as liberals or moderates, but as Americans, understanding that the only way every commission that's reported has said we're going to get our house in order is to come together and do so in a balanced way.

And yes, ladies and gentlemen, that means making sure that we deal with revenues. We pay for what we buy. That's what revenues are about. We pay for what we buy. And then we deal with the spiraling cost of health care. Everybody's talked about that. We have to do it. President Clinton talked about that. PAUL RYAN talks about that. We have to do it.

But we can keep the guarantee of Medicare, we can keep the guarantee of Social Security in the process, while getting our fiscal house in order on the entitlement side.

Ladies and gentlemen of this House, we owe it to the American people. The American people expect us to act responsibly. We are fiddling while the fiscal house of America burns.

Let us summon the courage, the judgment, and the personal responsibility each one of us has, that when we return here after the election and, hopefully, the politics are behind us, those 30-second, 60-second ads which misinterpret, misinform, and dissemble are behind us, and we say to all of our citizens who we represent, we are prepared to exercise the courage and judgment to put our country on a fiscally sustainable path that is credible. Not only will rating agencies believe in it, our citizens will believe in it, our businesses will believe in it, and the international community will as well.

HONORING THE LIFE OF NEIL ARMSTRONG

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

Mr. OLSON. Madam Speaker, I rise today to honor a true American hero, Neil Armstrong, a space pioneer who profoundly influenced world history.

I can still remember wearing my most prized possession, a blue Fly Me to the Moon T-shirt with the Apollo 11 mission insignia on it. I remember the feeling of seeing those grainy images of Neil on the Sea of Tranquility and, as he put his left foot down on lunar soil, his famous ''One small step for man, one giant leap for mankind.''

That historical moment changed America forever, and the world changed with us. And Neil Armstrong's quiet heroism helped catapult America to be the global leader. His legacy of American exceptionalism inspired generations of young people to take up science and space exploration.

In the 43 years since his Moon mission, Armstrong believed deeply that America should continue to explore new worlds. Upon learning the Obama administration had canceled NASA's plans to return to the Moon, Neil Armstrong, a very private man, became a vocal critic of this failure and the willingness to allow other nations to surpass America's space leadership. The state of NASA's human space exploration plans, he told Congress last fall, is ''lamentably embarrassing and unacceptable.''

One of the highlights of my life will always be shaking the hand of my childhood hero. Neil and I were united in our opposition to President Obama's plan to cancel the Constellation program and diminish the priority of human spaceflight in his 2010 budget and National Space Policy documents.

It was humbling to work with Mr. Armstrong and several other Apollo astronauts like Gene Cernan and Jim Lovell to fight to restore a strong NASA budget and develop a comprehensive human space exploration program worthy of America's greatness as explorers.

America needs a clear and purposeful mission worthy of our Nation's continued investment to regain our leading role and remain the dominant human space country in the world.

Our Nation suffers a great loss with Neil Armstrong's passing, but his courage and commitment to greatness live on in the next generation of explorers to come.

For the rest of my time on this planet, I will continue to honor his contributions to American exceptionalism and his legacy by pushing for a strong human space exploration program that will take America to the Moon, to Mars, and beyond.

My thoughts and prayers are with Neil Armstrong's family and the entire NASA family as we cope with this tremendous loss. America mourns with you as we remember Neil's amazing journey.

Neil's philosophy about life is captured best by advice given by one of Neil's Moon-walking brothers, Gene Cernan, when he spoke to a group of students at Sartartia Middle School in my hometown of Sugar Land, Texas. Gene told the kids, ''Always shoot for the Moon, because if you miss, you'll see the stars.''

Neil Armstrong gave us the Moon so we can look to the heavens and see the stars. Thank you, Neil.

God bless.

ANGELS IN ADOPTION

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

Mr. NUNNELEE. Madam Speaker, this week, the Congressional Coalition on Adoption is recognizing the individuals and families from around the country who've enriched the lives of children through foster care and adoption. I rise this morning to share the story of a couple who have dedicated their lives to providing not just a home for children, but a family.

Pat and Sandra Nunnelee, from Tupelo, Mississippi, had lived the American Dream. They married in their teens, and over the next 14 years had four children born into their family. When they married, Pat was working in a low-paying manufacturing job.

□ 1050

But he soon entered the profession of life insurance sales. He possessed a good personality and a strong work ethic. Because of that, he was a natural for the business, and his career advanced quickly both in income and in prestige.

Sandra had a love of infants and a desire to be a nurse. However, she decided to forgo her nursing education and her career in order to get married and then raise a family. Later, she did enter into nursing school. In fact, she graduated from nursing school the same year her oldest child graduated from high school.

By 1980, they were in their mid-forties, and they were enjoying the fruits of their labors together. Pat had become vice president of one of the largest life insurance companies in his State. Sandra was enjoying the love of her life—taking care of newborn babies as an intensive care nurse. They were enjoying a standard of living that neither of them had ever thought possible. In addition, empty nest was in sight. Two of their children were in college, and two others weren't far behind. In short, life was good. They'd worked hard, and they were nearing a stage of life when they could really begin to enjoy it.

But any plans they may have made changed in November of 1980 when a little girl was born prematurely. That month, while America was preparing to celebrate Thanksgiving, we were watching the peaceful transition of power begin in the White House, and we were watching an international hostage crisis. So, when the world is watching Presidents and Ayatollahs, who cares when a little premature girl is born? Thank God somebody did.

This little girl was born with numerous health problems, and the pediatrician's quick diagnosis was that this infant wouldn't live through the night and that medical staff should make her short time on Earth as peaceful as possible. At the conclusion of the shift, Sandra left her patient with the belief that this little girl would not be alive when she got back to work the next morning.

Much to her surprise, when she arrived the next morning for work, the little girl was still alive. She'd proven to have a strong will to live, but she'd been abandoned by her parents. So, after 3 months in the intensive care unit, her pediatrician observed to Sandra one day, We've done miracles for this child, but the one thing we've not been able to give her is a home. She has never had anyone to hold her, to rock her, or to sing to her. Over the next few days, Pat and Sandra became foster parents. She left her job, and the child entered their home.

Child number five.

Three years later, Sunday lunch was interrupted by a desperate knock at the door. Sandra had taken a leave of absence from her job to take care of this little girl, and she volunteered to offer child care to a single mom from the hospital where she worked. That young woman was having a great deal of difficulty coping with the many demands of being a single mom.

She desperately asked, Ms. Nunnelee, would you please take my baby.

Thinking there must be some kind of temporary crisis, the Nunnelees replied, Yes, we'll be glad to take care of your child for a couple of days.

The young mom responded, I don't want you to take him for a couple of days. I want you to take him forever.

Child number six.

Four years after that was another desperate contact, this one a phone call from the County Department of Human Services. An infant boy had been born with very severe heart problems. The doctor's prognosis was that he wouldn't live beyond age 10 or 12. His parents didn't want to keep such a sick child. There were no available foster parents with the medical expertise or the willingness to adopt such a child in that condition.

The desperate social worker said, You've done more than any family should be asked to do, but there is nobody else.

Child number seven.

That child has lived more than a decade beyond the doctor's initial prognosis, and while he still has some health problems, he has recently completed school, and he has moved out on his own. For the first time in 54 years, Pat and Sandra Nunnelee don't have a child in their home. Oh, holidays,

though, are filled with the noise of seven children and their spouses and several grandchildren.

In recounting their decision to commit to raising a second set of children at a time in their lives when their peers would be enjoying life, Pat loves to tell the story of a little boy on the beach. It seems a storm had washed several thousand starfish ashore, and as the tide receded, the stranded starfish were dying in the glaring sun. One by one, a boy began to hurl starfish back into the ocean. A cynical man observed his actions and commented on the futility of such efforts in light of the enormity of the problem.

You are wasting your time. You can never make a difference with so many starfish.

The boy simply hurled another into the sea and replied, I made a difference for that one.

These are true American heroes. Their grandchildren call them Mimi and Pat-daddy. Their friends call them Pat and Sandra. My six brothers and sisters and I are proud to call them Mom and Dad.

THE STORMING OF OUR EMBASSIES: AN ATTACK AGAINST AMERICA

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

Mr. FORTENBERRY. Madam Speaker, last year, an intense debate was under way in Congress as to how to respond to the turmoil in Libya. The imminent slaughter of the people of Benghazi by former dictator Qadhafi led the United States to sustain a NATO-led coalition to stop the bloodshed. Now our Ambassador to Libya, Chris Stevens, is dead—killed by the very people we went there to save. Americans can tolerate ingratitude; Americans can tolerate insult, but Americans cannot tolerate the senseless killings of the official representative of our country and three other diplomatic personnel.

The governing structures of Libya must respond in the strongest way. They should publicly state their condemnation and commitment to restoring order. Democracy is not an election. It is the understanding of the protection of the inherent dignity and rights of each person supported by the structures that bring about the just rule of law.

We honor Ambassador Stevens, Foreign Service Officer Sean Smith, and two others whose names I do not yet have for their heroic service. May they rest in peace.

Similarly, in Cairo, Egypt, the storming of our Embassy represents an attack on America. By the norms of international law, custom and tradition, the scaling of the walls of our Embassy severely threatens America's longstanding relationship with Egypt so fruitfully solidified after the peace accords in the Middle East in the 1970s.

President Morsi must decide: Will his government tolerate chaos and violence? Will he abandon Egypt's leading role as a force for stability in the Middle East? Will he use democracy for the consolidation of power while rejecting its central tenets?

The responsibility of President Morsi's is also to speak swiftly and state clearly that the Egyptian Government, duly elected, is committed to its international responsibilities and the deeper responsibilities of self-government.

RECESS

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

Accordingly (at 10 o'clock and 58 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at noon.

PRAYER

Reverend Matthew Mello, the Church of the Resurrection, Lakeland, Florida, offered the following prayer:

Dear God, we give You thanks for giving us another day.

We ask for Your blessings to this legislative body as they govern the welfare of all the people of this great Nation. Endow them with wisdom, discernment, courage, and conviction to engage the issues of our day, and for the generations to come to be better off as a result of all decisions made within this assembly hall.

Bind them together in a shared commitment to You, a passionate patriotism, and a deep dedication to find creative solutions in the concerns that confront us and divide us in these times.

We remember our Ambassador, Christopher Stevens, and his colleagues.

We ask that this be done this day and in the days to come, giving honor and glory to You, our God, and we pray Your blessings be upon us always.

In Your name we pray.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Minnesota (Mr. ELLISON) come forward and lead the House in the Pledge of Allegiance.

Mr. ELLISON led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND MATTHEW MELLO

The SPEAKER pro tempore. Without objection, the gentleman from Florida (Mr. ROSS) is recognized for 1 minute.

There was no objection.

Mr. ROSS of Florida. Mr. Speaker, I wanted to take a brief moment to say thank you to today's chaplain. I would also like to thank the Speaker for making this possible.

The invocation today was offered by Father Matthew Mello of Resurrection Catholic Church in my hometown of Lakeland, Florida.

Mr. Speaker, in 1963, my mother and father helped found the church Father Mello calls home. And like my parents and most Floridians, Father Mello is a geographic mutt: born in New Jersey, attended grade school in Puerto Rico, went to high school in Florida, attended seminary in Indiana, and studied theology in Chicago.

We don't know if he's a Yankees fan, a Cubs fan, or a White Sox fan. But one thing's for certain: since 1998, Father Mello has been a constant and reassuring presence in the spiritual life of countless residents of my hometown and to my family. His presence in my dad's final year of life was a comfort to him as well as to my family.

Father Mello personifies Christ's instruction to us to be the ''servant of all.'' I firmly believe, as the Bible also says, ''that the fervent prayer of a righteous man availeth much.'' Knowing Father Mello, I have no doubt that today's prayer was heard on high.

I thank him for his prayer today and his lifetime of service.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

RELEASE OF PASTOR YOUCEF NADARKHANI

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

Mr. PITTS. Mr. Speaker, Pastor Youcef Nadarkhani has been released from prison in Iran. After 3 years of suffering in prison, with the death penalty hanging over his head on false charges, Pastor Youcef is now home with his family. This weekend he was suddenly brought before a court, convicted on a more minor sentence, and granted time served.

While we applaud his release, we cannot forget how Pastor Youcef was abused and falsely accused over the past 3 years. He was subject to intense interrogation. His wife was arrested, taken away from their two young sons for a period of time. His lawyer was arrested on trumped-up charges.

Earlier this year the House drew attention to this persecution when it overwhelmingly passed a resolution calling for the immediate release of Pastor Youcef. We made it clear that the world was watching and would not tolerate the execution of an innocent man.

The Government of Iran continues to abuse religious minorities within its borders: Jews, Sunni Muslims, Baha'is, as well as Christians. Pastor Youcef's release is a victory for human rights, but we cannot forget about the other victims of this corrupt regime.

WIND POWER IS AN AMERICAN SUCCESS STORY

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

Mr. BLUMENAUER. Mr. Speaker, wind power is an American success story. It is one of our fastest growing manufacturing sectors, with over 500 American-based facilities. It provides us with clean, renewable energy that both consumers and the environment demand.

But, unfortunately, it is threatened with the production tax credit due to expire at the end of the year. I am pleased to join with my fellow Ways and Means Committee member, DAVE REICHERT, from the Northwest, as cosponsor of H.R. 3307, to extend the tax credit so that we don't lose as many as 37,000 jobs to the uncertainty.

Congress shouldn't wait until the end of the year because people need to make investment decisions now. Until we enact a comprehensive energy plan for this century, the production tax credit is key to our energy future: clean, dependable, very low operating cost wind energy.

Please join us as we work to guarantee this production tax credit for our economy and our energy security.

AMERICA UNDER ATTACK

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

Mr. BROOKS. Mr. Speaker, in Egypt our Embassy walls were scaled and the American flag ripped apart. In Libya, America's Ambassador and three other Americans were brutally murdered.

Ironically, our own Embassy in Egypt apologized by condemning Americans who exercised their religious and free speech rights as ''misguided individuals who hurt the religious feelings of Muslims.'' The White House, rivaling the Keystone Cops of lore, distanced itself from its own State Department apology.

Let's be clear. In Libya, this White House spent American treasury and risked American lives to topple Muammar Qadhafi, thus empowering those who killed our Ambassador.

Not one to learn from history or its own mistakes, this White House says, America ''will work to support a Syrian opposition to hasten the day when Assad falls.''

Mr. Speaker, we must stop spending our treasury and risking American lives for those who neither appreciate our sacrifices nor believe in basic liberties like freedom of religion and freedom of speech.

Mr. Speaker, I pray the President is listening.

EXTENSION OF THE PRODUCTION TAX CREDIT

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

Mr. PERLMUTTER. Mr. Speaker, I too rise to promote the extension of the production tax credit. Thousands of jobs in Colorado and across the Nation are dependent upon this incentive for good, clean energy here in the United States, thousands of manufacturing jobs made right here, wind production right here in America.

In Colorado, we have substantial manufacturing plants with Vestis; we have vendors who supply these particular manufacturers for this good clean energy. Yet we have the production tax credit that's about to expire.

Bipartisan support is in Colorado where we have virtually every Member, Democrats and Republicans, as well as you heard Mr. BLUMENAUER say he has a Republican cosponsor for this. But the Republican leadership will not bring it up, and it's been removed from the platform of the Republican Party.

These are good jobs in America. It's clean energy for our country. It's good for national security. If we make these things, these big windmills in America, we will make it in America.

□ 1210

LIBYA

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

Mr. DOLD. Mr. Speaker, this is a tragic day for the United States and for all people across the world who stand for freedom—the freedom of speech and religious tolerance. It is also a day that serves as a powerful reminder of why we hold these core principles, of why each generation of Americans over the past two centuries has proudly fought to preserve and advance them, and of why we must confidently answer the call to do the same today.

My thoughts and prayers are with Ambassador Stevens' family and with the families of the three American diplomats murdered in the attack in Libya.

There is simply no excuse or rationale to be found here. There is absolutely no justification for violence and murder against Americans. This act of terror stands in direct opposition to the freedom and liberty that we champion throughout the world.

This is an extraordinarily volatile time in the Middle East. As Americans, we should expect—we should demand—nothing less than strong leadership from the United States. As is shown by the murder of American officials in Libya today, by the storming of the U.S. Embassy in Egypt yesterday and, most certainly, by Iran's flagrant march toward nuclear weapons, this is no game. I am sickened and outraged by these recent events. It is time to lead.

HIGH UNEMPLOYMENT FOR RETURNING VETERANS

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

Mr. HIGGINS. Mr. Speaker, tonight, I will join Members of Congress MIKE QUIGLEY and PAT MEEHAN in an ice hockey game with and to benefit the wounded warriors. The Wounded Warriors is a great organization that takes care of our returning injured soldiers. Congress, however, is not living up to its responsibility to do the same.

The unemployment rate for returning veterans under the age of 24 is 29 percent. Congress just approved $53 billion for road and bridge repair next year—a very weak response to a big and important issue, particularly when you consider that we just spent $90 billion rebuilding the roads and bridges of Afghanistan.

If you really want to say ''thank you'' to the veterans on behalf of a grateful Nation, let's nation-build at home and put our veterans to work in rebuilding the America they so honorably defended.

OUR MILITARY PERSONNEL DESERVE A FAIR MILITARY VOTING PROCESS

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

Mr. WILSON of South Carolina. Mr. Speaker, both at home and abroad, the brave men and women serving in our Armed Forces dedicate their lives to protecting this great Nation. Access to absentee voter registration within our military's ranks has been increasingly difficult due to changing residencies and overseas deployments. In order to make voting for our servicemembers more accessible, Congress passed the Military and Overseas Voter Empowerment Act. Unfortunately, the administration has failed in its implementation.

On Thursday, the House Armed Services Subcommittee on Military Personnel will hold a hearing to investigate these issues in an effort to determine why the Department of Defense has failed to properly implement the legislation. As chairman of the subcommittee, I look forward to hearing witnesses explain and ensure that those serving in our Armed Forces are given the best available access to voter registration. Every reasonable effort should be made to enable a servicemember's ability to vote.

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

Our sympathies to the families of Ambassador Christopher Stevens and our Foreign Service officers in Libya and Egypt.

ATTACKS ON OUR DIPLOMATIC MISSIONS IN LIBYA AND EGYPT

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

Mr. ELLISON. Mr. Speaker, I am deeply disturbed by the attacks on our diplomatic missions in Libya and Egypt. Four Americans have now been killed, including U.S. Ambassador to Libya Chris Stevens. These Americans served bravely and with distinction, and this is a terrible, terrible tragedy. I have seen this amateurish and stupid video, and there is nothing in it, despite the fact that it is deliberately provocative, that could ever justify the murders of these innocent people.

The fact is this must be condemned in the strongest terms. These individuals who didn't like this video—and there is much to dislike about it—could have peacefully protested or could have written letters. They could have registered their disapproval in a number of ways, but they resorted to murder. This is morally objectionable, and the whole world must condemn it. Of course, it doesn't help to provoke people even if you have the right to do so, but it is always wrong to respond with violence and mayhem.

VOICE OF TEXAS, KELLY FROM CROSBY, TEXAS

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

Mr. POE of Texas. Mr. Speaker, Texans have shared with me their stories about the businesses that they have built without the help of the Federal Government.

Kelly from Crosby, Texas, wrote me this:

> Congressman, you are correct that small business owners carry the full load of government taxes.
>
> On average, our small $3 million-a-year business pays 35 percent in Federal taxes, pays Social Security of 7.45 percent, Federal unemployment tax, State franchise tax, school district and real estate property taxes, and I am taxed on the computer used to send this email to you. And the President says I didn't build it? I beg to differ. During the first 3 years, my workweek was 80 hours a week. If the Federal Government's debt of $16 trillion is not brought under control, it will not matter how hard I work, because the dollar's value will be worthless.
>
> Federal Government, fix your spending problem, and put your House in order because small business is watching and thinking, If I ran my business like you run yours, the bank would foreclose.

Mr. Speaker, Kelly is correct. Big Government hasn't built America. American small business owners have built it—on their own.

And that's just the way it is.

THE WIND PRODUCTION TAX CREDIT

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

Ms. TSONGAS. Mr. Speaker, I rise today as a member of the Sustainable Energy and Environment Coalition to talk about a critical issue for Massachusetts and our Nation: the wind protection tax credit.

Providing a modest credit of 2.2 cents per kilowatt hour generated, it has encouraged over $75 billion in private investment over the last 5 years. Now 60 percent of the average turbine is manufactured here in the United States. These companies hire a diversity of workers and provide good-paying jobs in a rapidly growing sector of our economy.

Bay Stater Nigel Greene worked for GE Wind as a wind farm parts runner. He says:

> I can tell you honestly that nothing gave me more pride in my country than seeing a turbine go from ''in-repair'' status back to ''on-line'' and producing clean, renewable power. It is truly a sight to behold.

Last year alone, clean energy jobs in Massachusetts grew 11 percent. If it is allowed to expire, we will lose an important new manufacturing opportunity and too many good-paying American jobs.

IMPLEMENTING THE JOBS ACT

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

Ms. HAYWORTH. Mr. Speaker, during our recess this past month, we held a small business roundtable in our Hudson Valley. Actually, everybody sat, transfixed—all the participants—for an hour and a half while talking about what our small businesses need to do and what we need to do to help our small businesses. One of the key considerations was to ease the climate for creating jobs and growing our businesses.

I am so proud to have supported the JOBS Act with our Democratic and Republican colleagues and with the Senate. It was signed into law, as we all know, in March by the President. Tomorrow, in the Financial Services Committee, we begin to review the implementation of the JOBS Act, and I hope that we can continue to work together to make true progress in growing our small businesses and in helping them by making sure that the path is clear for them to grow and thrive and prosper. This is a great example of how both parties can work together to achieve that goal.

EXTENDING THE PRODUCTION TAX CREDIT

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

Mrs. CAPPS. Mr. Speaker, last month, our Nation reached a significant milestone in the growth of homegrown renewable energy. The United States surpassed 50 gigawatts of installed wind power capacity, which is enough to power over 13 million American households a year. This is a major accomplishment for an industry predicted to deliver only a quarter of that amount a decade ago.

We should be celebrating this success brought about by innovation, hard work, and smart policies. Sadly, the celebration may be a short one if Congress doesn't act swiftly to continue the bipartisan production tax credit, which is a key factor in wind power's expansion. My constituents who work at companies like Clipper Windpower and Infinity Wind Power have told me that letting the PTC lapse would devastate their industry and eliminate thousands of jobs.

It's time to give these companies certainty by taking up a multiyear extension of the PTC without delay. Our country cannot afford to pull the rug out from under a true American success story. Let's renew the production tax credit now and maintain our leadership in transitioning to cleaner, safer sources of energy.

□ 1220

ATTACK ON U.S. CONSULATE

(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, just 1 day after the 11th anniversary of the September 11 terrorist attacks on the United States of America, sadly the American flag flies at half staff today at the U.S. Capitol once again following the senseless and tragic attack against our U.S. consulate in Libya, which left four patriotic Embassy workers laying dead.

Among those murdered include American Ambassador Christopher Stevens, marking one of the rare moments in U.S. history where a U.S. Ambassador is killed representing our Nation abroad. This type of cowardly and brutal attack is an outrage, and those responsible should be swiftly brought to justice.

The service of Ambassador Stevens and three other embassy staff will not be forgotten as their service represents everything that our country stands for in promoting peace and democracy and liberty for all peoples across the globe.

Mr. Speaker, God bless the brave men and women who serve our country everywhere, and God bless the United States of America.

IN RECOGNITION OF DELAWARE SPEAKER OF THE HOUSE BOB GILLIGAN

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

Mr. CARNEY. Mr. Speaker, I rise today to recognize Delaware Speaker of the House Bob Gilligan.

In November, Speaker Gilligan will conclude a 40-year career as a member of Delaware's house of representatives, making him the longest-serving member in State history.

Throughout his career, Speaker Gilligan has been one of the most effective leaders in Delaware State government. Speaker Gilligan has been a trusted and compassionate leader during times when Delaware needed him most. He helped lead the State through some of its most difficult fiscal challenges. He championed open government legislation that gave Delawareans unprecedented access to their representatives and oversaw the passage of landmark civil rights reforms. And he did this while maintaining the friendship and respect of his colleagues on both sides of the aisle.

On a personal level, I will always appreciate Speaker Gilligan's friendship and support. He gave me my first job in public service as a legislative fellow, an experience that inspired my work in government and politics.

It has been a real privilege for me to work over the years with Bob, and I would like to congratulate Speaker Bob Gilligan on an outstanding career and wish him well in his retirement.

CONGRATULATING DR. JAMES J. LINKSZ

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

Mr. FITZPATRICK. Mr. Speaker, I rise today to commend and congratulate Dr. James J. Linksz on the occasion of his retirement from his post as president of the Bucks County Community College in the Commonwealth of Pennsylvania.

As its president for the last 20 years, Dr. Linksz has led the community college through some of its most ambitious expansions, including new investments in technology, the addition of distance-learning courses, and impressive updates to campus buildings and infrastructure.

William Arthur Wood once said the mediocre teacher tells, the good teacher explains, the superior teacher demonstrates, and the great teacher inspires. During his time at Bucks County Community College, Dr. Linksz has inspired countless students through his leadership and dedication to providing men and women of all ages from Bucks County with a quality education.

On behalf of the people in Pennsylvania's Eighth Congressional District, I thank Dr. Linksz for his service to the community, and I wish him the best of luck in all of his future endeavors.

PRODUCTION TAX CREDIT AND INVESTMENT TAX CREDIT

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

Mr. KEATING. Mr. Speaker, I rise to reiterate my support for the wind production tax credit and the investment tax credit for offshore wind.

The production tax credit has encouraged nearly $20 billion in nationwide private investment annually over the last 5 years, while the ITC serves as the most fundamental Federal tax incentive for offshore wind development.

As we promote investments that will reduce our dependence on foreign oil and serve as a central part in our fight against climate change, it's essential to remember the spillover of job creation and specialized expertise that will follow.

In Massachusetts, we've witnessed firsthand the critical economic development opportunities of renewable energy projects provided to our States. Our region has undergone an economic regeneration with the development of Cape Wind, the Nation's first offshore wind fund. From the Port of New Bedford, which will serve as the staging area for turbine assembly, to the ferry captains who will provide eco-tours of the turbines, few communities will not be benefited by this.

Massachusetts is already recognized as one of the top three States for clean energy. We're home to nearly 5,000 individual clean energy companies, and nearly 2 percent of all Massachusetts jobs are now in this field.

It's important, as we go forward, that we not let this void occur, and we fill it with jobs made in America.

WIND PRODUCTION TAX CREDIT

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

Mr. POLIS. Mr. Speaker, I rise today as a member of the House Sustainable Energy and Environmental Coalition to call on Congress to renew the wind production tax credit.

The wind production tax credit provides a small tax incentive to wind companies to produce clean domestic energy. This tax incentive promotes investment, creates jobs, and encourages deployment of wind energy. At the end of this year, the wind production tax credit expires unless Congress acts.

This tax credit is essential to level the playing field for wind energy. For instance, the oil and gas industry gets around $40 billion in subsidies over 10 years. If we can eliminate oil and gas subsidies, let's do it. If not, we need to renew the wind production tax credit. The tax credit supports 5,000 jobs in Colorado and 75,000 jobs nationally. We cannot afford to lose these jobs.

Both Democrats and Republicans, Senators and House Members agree we need to extend this commonsense tax credit. I urge my colleagues to work together to extend the wind production tax credit to protect and grow America's thriving wind industry.

EXTEND THE WIND CREDIT NOW

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

Mr. LOEBSACK. Mr. Speaker, I join my colleagues in the Senate to highlight an important issue to Iowa, the wind production tax credit. It expires this year, as has been mentioned, and must be extended immediately.

Inaction has already led to job losses in Iowa and threatens thousands of more jobs in our State. The PTC actually has its roots in Iowa and bipartisanship. Senator GRASSLEY worked for its creation, and it has long had bipartisanship support. Last month, the Senate passed a bipartisanship package that included the wind credit. It's past time for the House to act.

Iowa is the second-largest producer of wind energy, and turbine manufacturing involves about 200 companies and 6,000 good paying jobs for Iowans. As we struggle to recover from the worst recession since the Great Depression, Congress cannot play games with people's jobs and pull the rug out from an industry employing thousands.

Congress must extend the wind credit now before more jobs are lost.

THE ENERGY FUTURE OF AMERICA

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

Mr. GARAMENDI. Mr. Speaker, today is a day of reflection and sadness, and also determination and resolve. The tragic killing of our Ambassador in Libya and his staff should remind us all of the dangers that exist around the world. So we offer our prayers to the families and to the survivors.

We also need to think about the future in America and about the necessity for developing alternative energy systems. The production tax credit for wind is absolutely essential. I represent two major wind farms, one in Solano and the other in Alameda County. Thousands of jobs across this Nation will be lost unless we extend the wind tax credit. Keep in mind that for a century we have subsidized the oil and gas industry. It's time for us to

provide the support necessary to create this industry.

We also ought to be making it in America. One of my bills, H.R. 6217, would require that 85 percent of the content of these turbines and solar systems be made in America.

WE HAVE TO BE PREPARED

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

Mr. BURTON of Indiana. Mr. Speaker, we had an attack in Cairo on our Embassy yesterday, and we had an attack in Benghazi, and we lost the Ambassador there. He was killed along with three other people.

I've been on the Foreign Affairs Committee now for about 30 years, and I've never seen anything like what we've seen in the northern tier of Africa. All the way across the northern tier, we've seen the spring that they're talking about, and how things are changing and how democracy is coming.

The fact of the matter is Iran is taking advantage of what's going on over there by sending intermediaries into all those countries to undermine them. I was just in the Persian Gulf recently, and there is absolutely no question that Iran is doing everything they can to undermine all those governments over there.

When you look at what happened in Egypt with the Muslim Brotherhood taking over, we in this country ought to be very much aware that this is not the end of it. It's not going to go away. The administration or the new President, whoever it is that takes office in January, they're going to have to have a very strong foreign policy because we still get about 35 percent of our energy from that region.

This is not going to end right now. It's going to go on. We have to be prepared.

MINNESOTA EDUCATION INVESTMENT AND EMPLOYMENT ACT

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members have 5 days in which to revise and extend their remarks and include extraneous material on H.R. 5544.

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

There was no objection.

The SPEAKER pro tempore (Mr. YODER). Pursuant to House Resolution 773 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5544.

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

□ 1230

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5544) to authorize and expedite a land exchange involving National Forest System land in the Laurentian District of the Superior National Forest and certain other National Forest System land in the State of Minnesota that has limited recreational and conservation resources and lands owned by the State of Minnesota in trust for the public school system that are largely scattered in checkerboard fashion within the Boundary Waters Canoe Area Wilderness and have important recreational, scenic, and conservation resources, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

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

The gentleman from Washington (Mr. HASTINGS) and the gentleman from Arizona (Mr. GRIJALVA) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

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

Mr. Chairman, I support H.R. 5544, the Minnesota Education Investment and Employment Act.

This bill will rectify a decades-old injustice that was imposed by Congress during the Carter administration to ensure that funding for schools and education in Minnesota is carried on.

When Minnesota became a State, it received certain parcels of land from the Federal Government set aside to help fund education. These lands, known as school trust lands, were specifically established to provide funding for Minnesota public schools. Responsible timber management, mineral development, and other economic uses of these lands would generate the revenue that would benefit every child in the State.

However, in 1978, Congress designated the Boundary Waters Canoe Area Wilderness and a portion of these trust lands became trapped inside the wilderness area and inaccessible, therefore, for economic development. This caused a decline in funding, then, for local schools.

H.R. 5544 would implement a bipartisan plan that was passed by the Minnesota State Legislature and signed by Democrat Governor Dayton to authorize a no-cost land exchange. It would allow Minnesota school trust lands, locked away within the Federal wilderness area, to be exchanged for Federal land from the multiple-use Superior National Forest. State forest lands would be fairly exchanged for Federal forest lands.

But typical of the attitude held by many Democrats that spending more of taxpayers' money will solve the problem, the critics of this bill have suggested that the Federal Government should simply buy these inaccessible trust lands at a potential cost of tens of millions of dollars. This is at the same time when the Federal Government has had more than a $1 trillion budget deficit for the last 4 years under this President.

However, the much-needed solution in this bill would consolidate State-held lands within the wilderness area and allow the State of Minnesota to access and develop new trust lands from the Superior National Forest. This will benefit State schools at no cost to the Federal taxpayers, with the additional benefit of job creation and economic development.

Let me elaborate on that, Mr. Chairman. It has been shown time and again that States are far more effective managing lands for sustainable use and revenue generation than the Federal Government. For example, in my home State of Washington, they have been able to produce more than a thousand times the revenue for education on 2.2 million acres of State trust land, as opposed to the U.S. Forest Service, which is able to generate only four times that amount, 9 million acres. In other words, regenerate a thousand-percent revenue on one-fourth of the land because it's administered by the State. I think the same principle can apply to Minnesota.

Putting these State lands back to productive use for education will increase funding for schools across the State, while at the same time creating new opportunities for job creation and economic growth.

This bill is more than a land exchange. It's about keeping a promise when Minnesota became a State. It's about correcting the 34-year consequences of Federal action that restricted access to this vital asset. It's about ensuring that children and schools have the funding that they deserve and were promised. So I urge support of this bill.

With that, I reserve the balance of my time.

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

Mr. Chairman, Federal land grants to States for education have resulted in the transfer of more than 77 million acres of land to over 30 States. These well-meaning acts, taken over 200 years ago, have left communities across the country with a fragmented pattern of land ownership.

Through the Northwest Ordinance enacted in 1787, Minnesota was granted 8.3 million acres of school trust lands. Today, the State has only 2.5 million acres left, with 93,000 located in the Boundary Waters Canoe Area Wilderness. Proponents of this legislation claim this will right inequities caused by the designation of the Boundary Waters Canoe Area Wilderness. For most of us, it would seem like common sense to do a land trade, but I think most of us would also want a land trade that is fair to both sides.

The State of Minnesota recently enacted State legislation that would allow an exchange of State and Federal

lands. While controversial, it garnered bipartisan support and didn't include language suggesting that we need to waive Federal laws.

As my colleague, Congresswoman MCCOLLUM, will tell us, the State did their job. It is now time for Congress to do our job. Our job is to protect taxpayer assets and the democratic process. Congressman CRAVAACK's bill fails on both of these accounts. We just need to look at the facts.

By failing to require the standard public process that allows all Americans the ability to participate and comment on the exchange of assets, H.R. 5544 robs the citizens of this Nation of their right to participate in the democratic process.

Unlike every other land trade bill brought before this Congress, we have no map showing what Federal lands will go into State ownership for development. Neither the people of Minnesota nor the people of the United States have any idea that we will lose lands critical to protecting drinking water or vital to hunting or motorized recreation. There is no map. The Federal lands to be traded are not identified.

Three Native American tribes have tribal treaties guaranteeing tribal members the right to hunt, fish and gather in the Superior National Forest. This bill potentially deprives these tribes of their access rights.

Second, by failing to ensure that our assets are appropriately valued as part of the exchange, Congressman CRAVAACK's bill shortchanges the American taxpayer. H.R. 5544 defers to the State of Minnesota to decide the value of Federal lands. When Congress authorizes the sale or exchange of Federal assets, it is our job to make sure the Federal Government is getting a good deal.

Again, for every land exchange this Congress has considered, we have relied on standard appraisal processes that are well understood by real estate professionals and land managers. Overriding this practice is like buying a house based on an appraisal provided by the owner, with the owner admitting they really don't have an updated assessment.

Such a scheme fails to protect the interests of the American taxpayers who own this land. We are not talking about a couple million dollars of taxpayer assets here. Estimates nearly a decade old placed the value of these lands at nearly $100 million.

Third, it is not clear this legislation is going to accomplish its stated goal: education investment. During committee consideration of this legislation, Minnesota school officials testified that of the $9,000 per year spent on an average Minnesota student, $26, less than 1 percent, comes from school trust lands receipts. This entire bill is geared to making up the $650,000 the State believes it has lost, a mere drop in the bucket for the overall necessary education investment.

□ 1240

An amendment offered by Congressman HASTINGS that is self-executed in the rule shortchanges three counties in Minnesota. Since 1948, Congress has and continues to provide St. Louis, Cook, and Lake Counties mandatory annual payments to compensate them for lost revenues related to the designation of the Boundary Waters Canoe Area Wilderness. Since the passage of the Boundary Waters Canoe Area Wilderness Act, these counties have received nearly $60 million in compensation from Thye-Blatnik payments alone. Last year, these payments amounted to $6 million. Chairman HASTINGS' amendment stops increases in these payments, which CBO estimates would be approximately $1 million. This is ironic, considering the entire bill is justified on the State estimating the exchange will increase their school trust revenues by $650,000 a year. Wouldn't it make more sense to go back and see if we can make better use of the existing money going to the State and to the counties?

Finally, this bill fails to garner broad and bipartisan support. Not one Democrat from the Minnesota delegation has cosponsored the legislation. Nearly 25 organizations in the State have written Congress in opposition to the legislation. Minnesota Backcountry Hunters and Anglers, representing over 2 million hunters and anglers, oppose the bill. The Star Tribune's editorial board says the bill ''fails the credibility test'' and ''is about converting forest land to mining.''

Many of us, including myself, have had bills to accelerate the land exchange process. However, those bills have safeguards like ensuring that the public can participate in the process; safeguards like ensuring Uncle Sam won't become Uncle Sucker, leaving taxpayers with a raw deal; safeguards like ensuring treaties guaranteeing access to tribes are not impacted. This bill has none of those safeguards. There are ways to do land exchanges that earn public support, garner bipartisan endorsements, and protect taxpayers. This bill fails on all counts and should be rejected.

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

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 8 minutes to the sponsor of this legislation, somebody who has worked extremely hard on behalf of his constituents to correct the injustice that was imposed in 1978, the gentleman from Minnesota (Mr. CRAVAACK).

Mr. CRAVAACK. I thank the chairman for yielding.

I rise today in support of H.R. 5544, the Minnesota Education Investment and Employment Act. This bill supports all schools in the State of Minnesota, creates good-paying jobs in northern Minnesota, and makes the Boundary Waters Canoe Area Wilderness whole for the first time since its creation.

First, a little bit of history. When Minnesota became a State in 1858, sections 16 and 36 of every township were set aside in trust for the benefit of schools. The State could use, lease, or sell the land to raise money for education. In the beginning, the State leaders decided to sell some of the more valuable parcels of school trust lands. But around the turn of the century they realized they needed more sustainable plans and began putting the school trust lands to productive use: timber and mining in my district. As Democrat State Representative Denise Dittrich has so ably educated me, these lands are not so much owned by the State as held in trust by the State and owned by the schoolchildren of Minnesota. It is the responsibility of school trust fund trustees to maximize the return of these lands for the benefit of this fund for our children. This is written in the Minnesota constitution.

But in the 1970s, the Federal Government created the Boundary Waters Canoe Area Wilderness. The lands within the Boundary Waters cannot be logged, leased, sold, or mined in order to preserve the unique wilderness character of this pristine land. But as a result of its creation, Minnesota and its students have been faced with an 86,000-acre problem for over 30 years. Eighty-six thousand acres of State-owned school trust lands have been landlocked within the borders of the Boundary Waters and have been unable to produce critical funding for Minnesota public education. It is imperative that we resolve this longstanding problem. Our goal is to preserve and protect the Boundary Waters and allow State-owned school trust lands to raise revenue for Minnesota education. It's a win-win. Unfortunately, Minnesota schoolkids and their teachers have been cheated out of public education funding now for over 34 years.

Finally, after years of inaction, stalling, and dilatory tactics by special interest groups, Republicans and Democrats have come together in Minnesota and said: Enough is enough. On March 22 of this year an overwhelming majority of Democrats and Republicans in the State passed senate file 1750 by a vote of 53–11 to pass the bill. On April 3, the house followed suit, passing their bipartisan bill by 90–41. On April 27, Democrat Governor Mark Dayton signed the bill into law.

H.R. 5544 executes the bipartisan State plan. This bill would exchange State-owned school trust lands trapped in the Boundary Waters Canoe Area Wilderness to the Federal Government in exchange for Federal Government-owned land outside the Boundary Waters. Additionally, this bill includes important provisions that would ensure Minnesotans can maintain their hunting and fishing rights within the Boundary Waters. To be clear, this bill does exempt only the land exchange portion from NEPA. The land exchange itself would have no environmental impact, and any future development

would still be subject to strict State and Federal regulations. Again, a land swap is merely a redrawing of maps and has no environmental impact in and of itself.

I want to be very transparent here, though. One of my goals is to have this bill create good-paying jobs in northern Minnesota. The lands listed in senate file 1750 are rich in natural resources. Many of them lie within portions of the Superior National Forest that are already being successfully mined for timber. It's a working forest and creates thousands of good-paying jobs in the region. Northern Minnesotans need these opportunities, and every American benefits from the steel and the lumber that goes into our cars and our homes.

I generally support the aims of NEPA, but obstructionist and special interest groups have a track record of abusing the NEPA process. The State of Minnesota cannot afford to be sued by environmental groups for years into the future just for the sake of blocking this land exchange. I will not allow special interest groups, acting in bad faith, to abuse the NEPA process and use frivolous lawsuits to block and derail this land exchange at the taxpayers' expense. Schoolkids and teachers in Minnesota can't wait years, possibly decades, for this funding. In the school district where I live, North Branch, Minnesota, some classes have 40 kids and the school has been reduced to a 4-day school week. You call this progress?

This legislation will generate a lot of funding for our schools and create good-paying jobs. Importantly, the Minnesota Education Investment and Employment Act would not eliminate a single acre of Boundary Waters land and cost nothing to the American taxpayer. In fact, it would add acreage within the existing wilderness area boundaries while giving Minnesota schoolchildren the land that rightfully belongs to them.

I urge my colleague to support this bill.

Mr. GRIJALVA. I yield such time as she may consume to the gentlelady from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. The House should not be spending its limited floor time on this bill. The House should be debating the American Jobs Act, the President's plan to put nearly 2 million Americans back to work without adding a dime to the deficit. Instead, today, the Republican majority has a land exchange bill on the floor that is completely unnecessary. I want to stress that. It is unnecessary. The State of Minnesota and the U.S. Forestry Service have all the authority they need to finalize this land exchange—and finalization is what they are working on.

There's a stakeholder process underway in Minnesota to determine this proposed land sale and exchange. And it's underway. And they're going to do it. And they're working on it, with everyone at the table. So why are we debating this bill at all?

I was a State representative for many years, and I worked on a lot of land exchanges. And I have never worked on a land exchange that has been so unnecessary as what I'm being asked to vote on today. This is a reckless bill, and it also sets a terrible precedent.

□ 1250

This legislation does not specify what lands are to be exchanged. Yes, we know about the school's trust fund land, and that's specified, we know where that is, but we don't know what lands are to be exchanged. We don't know what the finished product is.

Members of Congress are being asked to endorse a land exchange without knowing what lands will be exchanged. This legislation does refer to a bill in the Minnesota State legislature, and the Minnesota State legislation does not include a map of the Federal lands to be exchanged. It does not include a map.

This is the first time in the history of this Congress—of Congress—to bring a bill, a land exchange, to the floor without maps specifying what lands are to be exchanged. The first time in history. Every Member of this House should be asking themselves one simple question: where are the maps?

Now, as I said, I've done many land exchange bills in my service in the Minnesota legislature, and the first rule of all of those land exchange bills is don't forget what you are exchanging out. We always had maps. We had the cost, we had the value, and the public input, and I believe the Minnesota State legislators should be able to finish that process themselves working with the U.S. Forestry, working in a transparent fashion to know exactly what we're voting on.

Why are maps important? Because without a map it's impossible to determine how many Minnesotans could possibly see their property rights threatened by this bill. Can anyone here today tell me how many Minnesota cabin owners could open up their front doors and find a lack of public access to water that they have used and recreated in for years? There's no map. No one can answer that question.

Can anyone tell me how many millions of dollars Minnesota will lose in property value because of issues like this, because of H.R. 5544? No one can answer that question because there are no maps.

This bill could, and I believe will, greatly reduce public access to hunting, fishing, and snowmobiling in areas where the public currently has access. Minnesota Backcountry Hunters and Anglers is a sportsmen's conservation group. They represent over 2 million hunters in Minnesota and anglers as well. The group sent a letter to the U.S. Members of the House this month opposing this bill, and I'd like to quote from it. ''It provides no protective measures for how the land may be used, and no assurances that existing activities like hunting and angling would continue.'' Why? Because there is no map.

There are also 700 miles of snowmobile trails in Superior National Forest that could be at risk because of this bill, trails where public and private trails intermingle and where public and private entities have worked for years raising money and revenues to be able to recreate. But no one can tell me, not Mr. CRAVAACK, not Mr. HASTINGS, no one here, no one can tell me how many trails, lakes, and hunting areas could be closed by this bill because there is no map.

In addition, this bill eliminates the public's ability to participate in any decisionmaking process because it waives the National Environmental Policy Act process.

This is just not the way we do things in Minnesota. We bring people together at the table. We make sure everyone is at the table: the State, the Federal Government, the local governments, the property owners, the hunters, the anglers, the tribal nations, the conservationists, the taxpayers, and yes, the job generators. We make sure that decisions are transparent, and transparency means you have to include a map.

We make sure to get fair market value for land that is sold in exchange so that it's in the best interest of the taxpayers.

As a Member of Congress representing Minnesota, and as a Member of the House Interior Subcommittee, I want to stress I am committed to supporting land exchange so that it is a good deal for Minnesota, a good deal for the American taxpayers, and I'm committed that the process that's in place in Minnesota moves forward.

I serve with those northern legislators. They have fought for years to get something on the table. They deserve to have the process finish and finish correctly. They need good legislation, not bad legislation. Minnesota will produce good legislation.

There is a stakeholders group in Minnesota that is working to determine if the land proposal is fair and transparent. They're not at the table, folks. It does not require a congressional action to finalize their proposal. It does not take congressional action to move forward the legislation that has passed and been signed into law by the Governor.

This bill is unnecessary, it is reckless, and it sets a dangerous precedent for this House for the first time ever to vote on a land exchange without a full, complete map.

The House should defeat H.R. 5544, and it should allow Minnesota to move forward without this interference and this recklessness.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 4 minutes to the chairman of the subcommittee that dealt with this legislation, the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Chairman, you know, we do processes here in government, and hopefully we do them for a reason. But when the process we have harms kids, we should ask ourselves why do we have this slavish devotion to the process.

The problem before the State of Minnesota today is simply Federal action that took place 34 years ago that took lands guaranteed and devoted to the kids of Minnesota and took them away by Federal action.

I live in a State that does have a State trust lands policy where the use of that school makes a significant contribution to the education of our kids. It wasn't always that way. We took it seriously.

The State of Minnesota now wants to take this process seriously and develop resources that would be beneficial for their kids in a significant way and equalize the process, as we do in my home State, to benefit all the kids that are in public education.

This is one of those situations in which we have had plenty of time to solve this problem but obviously the Federal Government has not moved forward to give to the State of Minnesota what will benefit their kids.

In the hearing we had on this particular bill, the Forest Service said, Yeah, we can do this process. Give us about 4 years to evaluate all of these lands. Our Constitution gives us a right to a speedy trial. I wish it gave us a right to speedy decisions by bureaucrats. In 4 years an entire class of kids can start and finish high school without having any benefit from these lands that were theirs in the first place.

I do not know why those who constantly breathe the air of the Potomac River are the ones who are always wringing their hands and dragging their feet, but it seems to be the same way.

Mr. Chairman, you and I worked in the State legislature, where we had time limits. I had 45 days to get something accomplished or you didn't do it.

I taught school on trimesters. I had 90 days to cover the material, or I didn't get to do it. Can you imagine what would happen if the principal came to me and said, We're going to do our final test on Tuesday. And I said, I'm sorry. I couldn't possibly cover all of that material by Tuesday. Maybe in 4 years from Tuesday I might be able, if you're lucky, to get through the material and actually be ready for that particular test.

One of the issues in this campaign is indeed dealing with permits. What takes my State 45 days on average or less to permit takes the Federal government 307 days on average to do it. That's the process we're talking about here.

The State of Minnesota has a State process in place. It covers tribal issues. It covers all of the issues that are there, and this would take precedence. The State of Minnesota is just as smart as the Federal Forest Service in solving these problems, except the State of Minnesota wants to do it quickly and the Federal Forest Service is not.

This will also eliminate potential delaying litigation using Federal laws to actually do that.

Look. It is simply time for us to realize that if this bill passes, it helps the Forest Service because it takes away inholding problems. It also helps kids of Minnesota because it guarantees a funding source for their education in the future. We should be doing our job and moving us forward and taking this process away from an agency that moves at glacial speed to help kids.

□ 1300

It is time. It's time we do something to help kids instead of harming kids. This bill helps kids, and I am proud to vote for it.

Mr. GRIJALVA. Mr. Chairman, part of the argument is that the Forest Service is dragging its feet and will not allow this process to continue. I would suggest that the Minnesota Legislature came to the realization it was something they needed to do. That process was initiated, legislation was passed, and that process continues. The role of the Federal Government in hindering that does not exist. This was a volition and a decision that Minnesota and its representatives had to take.

On June 22, 1948, President Truman signed legislation into law to authorize the acquisition of private lands within what is now known as the Boundary Waters Canoe Area Wilderness. The legislation was promoted as a way to protect important natural resource values from commercialization and to compensate Cook, Lake, and St. Louis Counties for the loss of private tax revenue.

During the legislative process, Congressman Blatnik argued that counties should receive 12 cents per acre of Federal land for compensation of lost property tax revenues. The Truman administration, arguing that the 12 cents per acre figure was excessive, negotiated compensation to three-quarters of 1 percent of fair market value, which is the way the law was enacted and stands today.

Each year since, these counties have received mandatory payments, adjusted periodically to reflect increased property values. Last year, these payments totaled over $6 million. Under the funding formula, more Federal lands mean more Federal money. Absent the Hastings amendment, Lake, Cook, and St. Louis Counties, all within the sponsor of this legislation's district, stood to receive another $1 million annually.

We raised questions regarding this payment from the time the bill was heard in subcommittee until the bill was reported from full committee. In fact, I sent letters to each county commissioner in these counties trying to learn more about how these funds were used. I received two responses. Both indicated they support the current Thye-Blatnik formula and relied on these payments to compensate for lost property tax revenue. Surprisingly, no one wants to talk about these payments because they would be considered earmarks—earmarks which the sponsor voted against supporting, along with many other members of his caucus.

I represent a district with a lot of Federal lands. My counties get payments through PILT and through Secure Rural Schools. We have to fight like crazy to extend payments every time these bills come for reauthorization. Yet today, we have a bill that purports to be about education funding for Minnesota kids. What kind of role models are we if we can't even have an educated conversation about what Federal money is currently going to Minnesota?

Let's just look at the arithmetic. Minnesota State Representative Denise Dittrich testified before the committee that the State was losing $650,000 annually from foregone revenues because the State trust lands were within the wilderness area. She supports the enactment of this legislation to make up for the revenue. Yet, because of the Hastings amendment, this legislation actually takes $1 million in revenue away from the Counties of Lake, Cook, and St. Louis.

Are we robbing Peter to pay Paul? That's the question.

I reserve the balance of my time.

SEPTEMBER 6, 2012.

To: Amelia Jenkins.

Subject: Request from Ranking Member Grijalva related to Thye Blatnik.

DEAR AMELIA, As a county commissioner in Cook County Minnesota I am opposed to any change in the long standing, reasonably established (with the Boundary Waters legislation many years ago) legislation that has, in effect, the Federal Government making payments to Cook, Lake, and St. Louis counties that makes up for property taxes that were lost by locking this land into the federal wilderness system.

There was much local opposition and controversy surrounding the establishment of this wilderness, which was for the benefit of the whole country, and these payments were established to offset taxes lost and create a more positive relationship between these 3 counties and the federal government.

This is one case where the history of the legislation needs to be revisited and reasons for it need to be properly understood.

Thanks,

JIM JOHNSON,
Cook County Commissioner (District 4, which includes Cook Counties portion of the boundary waters).

LAKE COUNTY, MINNESOTA,
BOARD OF COMMISSIONERS,
Two Harbors, MN, September 10, 2012.

Ranking Member RAÚL GRIJALVA,
Subcommittee on National Parks, Forests and Public Lands, Committee on Natural Resources, Longworth House Office Building, Washington, DC.

DEAR RANKING MEMBER GRIJALVA: This letter is in response to your recent inquiry regarding the 1948 Thye-Blatnik (T–B) Act payments to the Tr-Counties of Northeastern Minnesota. Given the tight timeline of your request and the limited amount of legislative days remaining in the 112th Congress, I understand the urgency of your request and have tried my best to provide you with the answers to the questions that we received from your staff.

I must begin, by first explaining that there are a couple limitations which I face in attempting to answer your questions. First, Lake County only has a population of 11,000 people and our tax base is very, very, low because over 80% of our large land mass is now government-owned. Thus, we do not have the kinds of resources or readily available personnel to rapidly respond to each of your questions at a deep level of detail. I will try my best, however, to at least cover the basics.

An additional hindrance is this county and several others here in the Arrowhead Region of Northeastern Minnesota were victims of a flood earlier this summer. The President declared us a Federal Disaster Area and we have been just ''swamped'' with FEMA personnel and state officials helping us to cope with what has been described as a ''once in every 500 year flood.'' Understandably, public safety and getting our roads and bridges repaired along with getting hundreds of homeowners back into their homes, has been and continues to be our number one priority.

BACKGROUND/HISTORY: The following is a brief background and history of the Thye-Blatnik Act, which will hopefully give you some insight into just how this 1 million acre Wilderness, now known as the Boundary Waters Canoe Area Wilderness, came into being. If you research the original title of the bill, HR. 2642, it reads, ''A bill to safeguard and consolidate certain areas of exceptional public value . . . within Minnesota''. The bill title truly helps to get at the heart of what ultimately lead to the passage of this legislation. The ''exceptional value'' of the lands located within the Boundary Waters were so deemed because, quite frankly, that's exactly what they were. And, the value of these lands, especially what they meant to the local economy, became the focal point of the deliberations on the bill.

In the following paragraphs and in addition to some historical points, I quote to you some of the direct testimony, written history, and rationale that best describes why Congress concluded that in order to create this eventual million acre wilderness, some sort of adequate compensation had to be given to the affected counties who would be giving up their current and future ''priceless'' tax base, forever.

Before the bill could be introduced, the commissioners of St. Louis, Lake, and Cook counties objected to further federal acquisition. Their opposition stemmed from the continuing financial distress of these counties. An understanding of their fiscal problems is necessary to comprehend the deep well of opposition in the northern area. In the twenty years following 1925 the taxable property in these counties had been drastically reduced; revenues had declined, expansion seemed unlikely, and hopes for prosperity withered. In Lake County, for example, the assessed value of real property shrank from $4,000,000 in 1924–25 to $1,500,000 in 1944–45. Property tax revenue dropped from $343,000 in 1931 to $251,000 in 1941.

The obvious way to break the cycle of dependence on outside aid was to expand the local economy in every way possible by using all available natural resources. One such resource was private real estate. However, federal acquisition of land within and outside the roadless areas had eliminated many opportunities for real estate developments. The Ely Commercial Club asked that the roadless areas be reduced in size to allow tourist development ''on a scale comparable with other sections of the state.'' With smaller roadless areas it would be possible to develop what they called ''now inaccessible resort sites'' on lakes supposedly off the track for even occasional canoe trips.

The commercial club objected to the government's purchase of the remaining private lands on the theory that developing them would do ''the most good for the most people in the long run. We have no particular ax to grind with dyed-in-the-wool conservationists so long as their plans don't take the bread out of our mouths.''

Paul W. Nelson, Lake County's auditor, had foreseen the impact of federal purchases on local taxes as early as 1938. At the time he had justified higher levies on Hubachek's property because the Forest Service had already ''removed from our tax rolls'' 290,000 acres of land. . . . ''You and the other taxpayers will have to absorb the loss,'' he wrote.

The issue of federal aid in lieu of taxes had been before the Congress since 1938. A joint committee on forestry had hearings and filed a report in March, 1941, recommending (among other things) legislation authorizing ''an equitable system of financial contribution to local government in lieu of taxes on forest land removed from the tax rolls through Federal acquisition.''

In 1943 the Federal Real Estate Board filed a report on each class of federal real estate, its contribution, if any, to state and local governments, with recommendations for greater equity in lieu of tax contributions. The report noted that the proceeds from national forest timber sales ''have not been wholly adequate to protect local taxpayers from undue burdens'' when the national forest lands were purchased from private owners. . . . To meet this problem, the real estate board recommended guaranteeing to the counties ''a minimum payment equal to a specified percentage of the purchase price.'' This would give the local governments a dependable source of income with which to plan annual budgets and enable them to use their share of timber revenues to the best advantage. As an acceptable rate of compensation, the board suggested ¾ of 1 per cent of the taxable value of federal lands.

The best known were the Cordon, Colmer, and McNary bills which differed only in the amount of compensation they proposed. All bills based payments on the fair market value of the national forest lands. The county officials in northeastern Minnesota thought compensation in lieu of taxes would be a great improvement over the intermittent revenues they had received from timber sales, and considered the Colmer and Cordon proposals as models for special legislation affecting their counties.

''The nation ought to pay in considerable part for the preservation of assets in Lake County which benefit the nation, ''Commissioner M. H. Bickley said the history of federal acquisition proved that ''something has always been taken away from us and nothing given back in the way of reimbursement.''

We are dealing with human beings and hard dollars.'' The counties were economically run, and Hubachek had open sympathy ''for what will ultimately be their plight'' when more than 80 per cent of their lands would be removed from the tax rolls.

The Quetico-Superior program was based on the value of the entire roadless areas to the nation. ''If that is true, then the contribution of the country as a whole should he greater and less of the burden shall fall on the local interests.''

The combined Thye-Blatnik acquisition-compensation bill floated into the congressional stream with dozens of other postwar resources and conservation measures. The modest Thye-Blatnik bill was a compromise proposal that harnessed downstate Minnesota conservationists, northern businessmen, and county officials in a common effort.

Hearings on the Blatnik bill began on April 28, 1947—exactly nineteen years after the introduction of the Shipstead-Nolan bill. Blatnik emphasized compensation for the three counties as ''an indispensable part of the bill.'' Twelve cents per acre was ''an irreducible minimum compensation.'' Paul Nelson represented the counties. He was proud, he said, that the Superior forest was called the ''playground for the Nation'' because the area was more valuable for recreation than timber. But, he asked, ''Should the local taxpayers furnish such a playground or should our country as a whole share in the expense of maintaining it?'' Unless the nation paid the bill, the measure should he defeated.

Wilson followed Hopkins, describing the rapidity with which the roadless areas were being exploited. The program ''to preserve and render accessible for posterity . . . a wilderness that is within reach of all the people of this country'' was imperiled. If the bill did not pass, the ''whole program of protecting this wilderness will be sunk.''

Discussion of the Blatnik bill centered on the compensation clause. . . . One astute conservationist speculated that unless the counties received 12 cents per acre, they ''would undoubtedly like to gamble their potential tax rates from private development in the Roadless Area against the federal reimbursement rate over future years.'' On that basis they would try to kill the bill, ''demand protection of private property throughout the federal forest, and fight the whole thing as federal interference and bureaucratic control.''

At the end of 1947 Blatnik's bill was stalled in the House, while Senators Ball and Thye refused to move their measure until the Forest Service and the counties agreed on a rate of compensation. But they also knew that Blatnik and the county commissioners would withdraw their support for the measure if the compensation were reduced or removed.

By reaffirming this statute and by directing the Forest Service to purchase and remove resorts and private properties, Congress gave further definition and weight to the idea of wilderness preservation—an idea that would receive complete expression sixteen years later in the Wilderness Act of 1964.

For the first time in its history, the Forest Service had authority to purchase lands for some purpose other than timber production and watershed protection. In this respect, the Thye-Blatnik Act set one of the most significant precedents in forest policy in forty years. Congress broadened and reaffirmed the principles implicit in the Thye-Blatnik Act in 1964 by passing the Land and Water Conservation Fund Act, a measure providing widespread federal authority for purchasing and developing land for public recreation.

With regards to your individual questions which you asked in your letter to my county here are the answers to your questions:

Level of funding my county has received for the most recent fiscal year in Thye-Blatnik funding?

Answer: Not exactly sure, except that between all three counties we now split approximately $6 million per year in total T–B funding. Since each county has approximately one-third of the land mass of the BWCA in each county, rounding-off, that means Lake County received nearly $2 million in T–B funding. Regardless, as explained in more detail later in this document, this T–B funding is required to be offset against our regular federal PILT payment and that coupled with other variables in the overall national PI LT formula, Secure Schools provisions, etc., means that T–B payments simply cannot be looked at in isolation. Ultimately, I was able to document that our latest NET PILT PAYMENT was only $246,972. With 727,111 acres of federal lands in our county, this certainly doesn't seem fair.

How is T–B funding used?

Answer: All of the uses you mentioned, but, because of the preponderance of government owned land in our county, we have a very limited tax base. Thus, most T–B dollars are used as part of our general revenue stream.

Has T–B funding decreased in last 10 years?

Answer: No, reappraisals are done once every 10 years, so it would only be in the 11th year that we would know what our next decade's level of funding will be. The last T–B reappraisal appears to have been done in either 2008 or 2009. Because of the national real estate bubble that occurred during the first decade of this century, I believe we did receive a sizeable increase in our T–B payments, but again, with the offsets that this had against us, I believe not all of that money truly materializes. Also, we won't know if these higher T–B payments will last when the next appraisal is completed. This is because of the hyper-inflated real estate bubble that occurred throughout much of the last decade.

In conclusion, I believe the deliberations that occurred in Washington during 1947–48 make it abundantly clear there was a consensus that some sort of compensation needed to be given to the local governments of Northeastern Minnesota. That consensus came with the full realization that in order to get this legislation passed into law, Congress would have to help at least partially offset the permanent loss of future tax base and economic activity that this Region would obviously suffer into perpetuity.

There was a clear recognition that the traditional sources of economic activity of this natural resource rich region—mining, logging, summer cottages, and motorized recreation opportunities would now be effectively cut by at least 50%, forever. In the years following Thye-Blatnik we've also witnessed passage of the 1964 Wilderness Act along with the Vento-Burton Act of 1978 which added additional economic restrictions and acreage to the BWCA. Counter-arguments have been made that the existence of a very appealing million acre wilderness featuring non-motorized wilderness travel for tourists to enjoy should help offset much of the alternative economic loss. On the surface, such an argument may look appealing. On closer examination, however, what has instead resulted is what economists call a ''closed market.''

Such a closed market for the BWCA is best exemplified in the permit system for campers wishing to visit the BWCA. This system effectively ''caps'' the number of visitors that are annually allowed into the park. In other words, while other regions of America with national parks and federal wilderness areas can at least count on some annual growth in visitors, for the BWCA, the number of visitors is in effect permanently capped at a little over 200,000 visitors. Unfortunately, with an aging population the number of U.S. citizens physically capable of portaging canoes and enduring the elements, this has meant that the annual visitors to the BWCA in recent years has actually been falling. How much? Between 2004–2010, visitor use in the BWCA fell by 12%.

Meanwhile, the 1,000 plus lakes in the BWCA with their tens of thousands of miles of extremely valuable shoreline, goes mostly underutilized and significantly underused. Other lakes in our region outside of the BWCA, currently have lakeshore selling at anywhere from between $1,000 to $2,000 a running foot. If one were to apply those kinds of numbers, to the tens of thousands of miles of shoreline in the BWCA that are forever off the tax rolls, one then realizes the incredible economic sacrifice that the people of our three counties have truly made for the greater good of the entire nation.

Finally, it appears that many are not cognizant of the fact of the interplay between the Thye-Blatnik lands and the later (1976) Federal PILT Program formula which all states with federal lands benefit. Although there are many variables that come into play, in essence, our three counties are required to ''deduct'' from our PILT payments the dollars which we receive from our Thye-Blatnik payments (as are other Section 6903 lands). As a result, this offset means that our Tri counties of Northeastern Minnesota are now receiving only pennies on the PILT dollar than we normally would.

Congressman Grijalva, I assume that this same unintended consequence with the Federal PILT law may also be occurring in your District? I noticed that of the dozen Special Acts of Congress contained in Section 6903 of the Federal PILT Law, both the Thye-Blatnik lands and the 1910 enabling Acts of Arizona and New Mexico are both included. Again, although the intermingling of these various laws gets extremely complicated, I hope that in the near future, we can refocus and begin to work together to help remove some of the real inequities and unintended consequences that are beginning to develop with the interplay of the existing national PILT Law.

Thank you for your interest in this overall issue and hope I have given you sufficient rationale as to why the Thye-Blatnik law found it an absolute necessity to partially compensate our counties for the permanent loss of tax base and our lost future economic viability. Indeed it was a steep price to pay, but something which was a sacrifice which ultimately was made for the greatest good of our entire nation.

Sincerely,

RICH SVE,

Chair, Lake County Board of Commissioners.

Mr. HASTINGS of Washington. Mr. Chairman, I'd advise my friend that I am prepared to close.

Mr. GRIJALVA. Mr. Chairman, among the many flaws in the legislation is a provision waiving compliance with the National Environmental Policy Act of 1969, NEPA. NEPA has been under attack by the Republicans for years. Most famously, former Chairman Pombo led a yearlong effort to undermine the law before leaving Congress.

NEPA stands for two very simple principles: The first is that the Federal Government should think before it acts, and the second is that the Federal Government should listen to the American people before it acts.

NEPA does not dictate outcome. It requires Federal agencies to gather information, consider alternatives, and seek public input before taking action that would significantly impact the environment.

Waiving NEPA means waiving educated decisionmaking, waiving NEPA means waiving transparency, and waiving NEPA means waiving the possibility that the American people should play a role in managing the natural resources which they own.

In the case of H.R. 5544, waiving NEPA means waiving any process for determining which Federal lands will be given to the State, what lands will be traded away, and how will they be chosen. Apparently, that information is to remain secret.

Will lands currently used for recreation or to protect water quality or to preserve critical habitat be traded to the State for logging and mining? We have no way to know.

Waiving NEPA shrouds this land deal in secrecy and insulates it from any public input. Why should any Member in this House oppose allowing his or her constituents to have input in the management of Federal natural resources? Cutting out public input is undemocratic, unwise, and unfair.

Now we have heard claims that NEPA should be waived because it leads to so-called ''frivolous'' legislation. Of course, ''frivolous'' is often in the eye of the beholder.

The facts are that NEPA is more than 40 years old, its regulations are flexible and well-settled, and NEPA litigation is fairly rare. What's more, timber companies, cattlemen, mining companies, and other industry plaintiffs file NEPA litigation just as often, if not more, than environmental groups.

We are also told that NEPA causes too much delay. This accusation is also unfounded. NEPA regulations allow for agreed-upon timeframes and page limits to move the process along. Instances when the NEPA process appears to drag on are often the result of an applicant who fails to provide necessary information in a timely fashion or changes the parameters of their project midstream. These anti-NEPA claims are not based on fact and they are a smokescreen, a smokescreen designed to hide the fact that the real goal of exempting this land deal from NEPA is to shield this exchange from public scrutiny.

Later today, Mr. HOLT will have an amendment to restore NEPA compliance for this land deal, and that amendment should be approved. A vote for NEPA is a vote for the idea that average Americans might have something valuable to say about the management of their natural resources. A vote for the bill without NEPA is a vote to shroud this deal in darkness so that its potential impacts on habitat or water quality or recreation remain hidden from public view.

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

Mr. HASTINGS of Washington. Mr. Chairman, I'll just advise my friend that I am prepared to close if he will yield back.

Mr. GRIJALVA. I will close at this point.

This debate, quite honestly, Mr. Chairman, makes me feel like I'm living in an alternative reality—a reality where the protections of God's bounty on this Earth are nothing more than an opportunity cost for local governments, a reality where we think it's perfectly acceptable to fund our children's education by stealing from the natural resource legacy our forefathers sought to protect, a reality where $650,000 for St. Paul is more important than $1 million going to counties most impacted by this exchange, a reality where the basic ability for people to be informed about government actions and to voice their views is blocked by a party that prides itself on the idea of liberty. I don't know about you, but this is not the reality that I want to live in.

We could have brought this bill to the floor today with strong bipartisan support and resolved the real issue of isolated State lands within the Boundary Waters, just like the Minnesota Legislation did. Instead, it is Groundhog Day where antiwilderness and antigovernment philosophies are masked as a concern for education funding when the arithmetic doesn't actually support the argument.

This is a disappointment. This bill is bad for forests, bad for wildlife, bad for the American people, and should be rejected.

I yield back the balance of my time.

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

Mr. Chairman, I am sitting here absolutely amazed by the debate on this issue. This is really very, very simple.

In 1978, there was no Boundary Waters Canoe Area Wilderness, so there were trust lands in that part of Minnesota that were generating revenue for public schools in Minnesota. So in 1978, Congress passed the Boundary Waters Canoe Area Wilderness and they took that land out of trust. So that means there is a deficiency in trust lands for Minnesota schools. This legislation simply seeks to correct that, nothing more than that. Nothing more than that.

□ 1310

So, in fact, here's another way to put it, Mr. Chairman. If the Boundary Water Canoe Area Wilderness had not been passed, we wouldn't be here today because you would have those trust lands generating revenue. But because it included that area, we are here today.

Now, I heard my good friend from St. Paul talking about the transparency and everybody should be involved in decisionmaking. What happened in 1978 when this 86,000 acres was taken out of trust?

Where was the transparency?

Where was the goodwill that was coming from the Federal Government to the citizens of Minnesota at that time? It apparently wasn't there.

Now, I know the Forest Service can make those adjustments. They don't need an act of Congress to do it; but, Mr. Chairman, it's been 34 years. Don't you think, after 34 years, if the ability were there that it would be done if there was a will on both sides to do so?

Apparently, there might have been a will on both sides, but there are others that were involved that said, no, let's slow the process down. So the Minnesota Legislature said, let's get this thing going, and they passed the legislation, and this simply carries out the act of the legislature that was signed by the Governor. And it's really nothing more than that.

I'm absolutely amazed by the detail that goes on because what comes out of all of this debate, from my point of view which, ironically, comes from Members that represent Minnesota, is they don't trust Minnesotans to make the right decisions as to what part of that national forest would be used for trust lands. I find that mind-boggling.

I think the gentleman from northern Minnesota is doing right by his constituents with this legislation to correct what has happened 34 years ago.

So this is a good piece of legislation, Mr. Chairman. I urge it's adoption, and I yield back the balance of my time.

Mrs. BACHMANN. Mr. Chair, I rise today in support of H.R. 5544, the Minnesota Education Investment and Employment Act, which will set in motion a long overdue exchange of federal lands in Northeast Minnesota that will create jobs and unlock millions of dollars each year for our state's schools.

When Minnesota became a state in 1858, the federal government granted each township two plots of land to be developed, leased, or sold exclusively for the benefit of Minnesota schools. Under the Minnesota Constitution and Minnesota Law, these lands must generate revenue for schools. However, when the Boundary Waters Canoe Area Wilderness was created in 1978, 86,000 acres of school trust lands were locked within the boundaries, where logging, mining, and other lucrative activities are prohibited. For over 30 years, these lands have been stripped of their revenue-raising potential and Minnesota students have been missing out on a vital revenue source for needed school improvement projects.

Thankfully, this year, a bipartisan coalition at the Minnesota State Capital, including Democratic Governor Mark Dayton, stood up to special interests and apathy to recoup the important school funding source that was sealed off with the creation of the Boundary Waters. They enacted legislation at the state level to allow an exchange of the school trust lands contained within the Boundary Waters for federal lands outside the Boundary Waters. Such an exchange would not eliminate a single acre of BWCAW land, but it would enable the creation of well-paying jobs for Minnesotans on the newly acquired lands.

H.R. 5544 will finalize the federal side of this broadly supported exchange, which will greatly benefit Minnesota students, job seekers, and families across the state. I applaud Congressman CRAVAACK for introducing this necessary legislation and I urge my colleagues to join me in supporting it.

The CHAIR. All time for general debate has expired.

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

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–30, modified by the amendment printed in part A of House Report 112–660, is adopted.

The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule and is considered read.

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

H.R. 5544

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Minnesota Education Investment and Employment Act''.

SEC. 2. LAND EXCHANGE, BOUNDARY WATERS CANOE AREA WILDERNESS AND SUPERIOR NATIONAL FOREST, MINNESOTA.

(a) FINDINGS.—Congress makes the following findings:

(1) The State of Minnesota owns multiple parcels of land in the Boundary Waters Canoe Area Wilderness in the Superior National Forest that were granted to the State through sections 16 and 36 of the Enabling Act of 1857 to be held in trust for the benefit of the public school system in the State (in this section referred to as ''State trust lands'').

(2) The State trust lands were acquired by the State long before the establishment of either the National Forest System or the wilderness area and are scattered in a largely checkerboard fashion amid the Superior National Forest and the wilderness area.

(3) The presence of State trust lands in the wilderness area makes land and resource management in the wilderness area more difficult, costly, and controversial for the United States and the State.

(4) Although the State trust lands were granted to the State to generate financial support for the public school system through the sale or development of natural resources, development of those resources in the wilderness area may be incompatible with managing the wilderness area for recreational, natural, and conservation purposes.

(5) The United States owns land and interests in land in other parts of the State that can be transferred to the State in exchange for the State trust lands without jeopardizing Federal management objectives or needs.

(6) It is in the public interest to exchange, on terms that are fair to the United States and the State, National Forest System land in the State that has limited recreational and conservation resources for State trust lands located in the wilderness area with important recreational, scenic, and conservation resources for permanent public management and use.

(7) The Legislature of the State of Minnesota, meeting in its 87th Legislative Session, passed (and on April 27, 2012, the Governor of Minnesota approved) S.F No. 1750 (Chapter 236), section 4 of which adds section 92.80 to the Minnesota Statutes to expedite the exchange of a portion of the State trust lands located within the Boundary Waters Canoe Area Wilderness.

(b) LAND EXCHANGE REQUIRED.—The Secretary of Agriculture shall consummate a land exchange with the State of Minnesota pursuant to section 4 of S.F No. 1750 (Chapter 236) of the Legislature of the State of Minnesota (section 92.80 of the Minnesota Statutes) to acquire all

right, title, and interest of the State in and to certain State trust lands identified as provided in such section in exchange for all right, title, and interest of the United States in and to National Forest System land in the State for inclusion in the State trust lands.

(c) VALUATION OF LANDS FOR EXCHANGE.—Subdivision 4 of section 4 of S.F No. 1750 (Chapter 236) of the Legislature of the State of Minnesota (section 92.80 of the Minnesota Statutes) shall control for purposes of the examination and value determination of the lands to be exchanged.

(d) SURVEY AND ADMINISTRATIVE COSTS.—The exact acreage and legal description of the land to be exchanged under subsection (b) shall be determined by a survey satisfactory to the Secretary. The State of Minnesota shall be responsible for the costs of the survey and all other administrative costs related to the land exchange.

(e) BOUNDARIES AND MANAGEMENT OF ACQUIRED LAND.—

(1) LAND ACQUIRED BY SECRETARY.—

(A) IN GENERAL.—The land acquired by the Secretary under subsection (b) shall be added to and administered as part of the Boundary Waters Canoe Area Wilderness established pursuant to section 3 of the Wilderness Act (16 U.S.C. 1132(a)), and the Secretary shall modify the boundaries of the wilderness area to reflect inclusion of the acquired lands. Subject to subparagraph (B), the land acquired by the Secretary shall be managed in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and other laws and regulations applicable to the National Wilderness Preservation System.

(B) NO EFFECT ON EXISTING FISHING AND HUNTING RIGHTS.—The acquisition of land by the United States under subsection (b) and inclusion of the land in the Boundary Waters Canoe Area Wilderness shall not alter or otherwise affect—

(i) any fishing and hunting rights in existence with respect to the land immediately before the conveyance of the land to the United States; or

(ii) the use of such rights after conveyance.

(2) LAND ACQUIRED BY STATE.—The land acquired by the State of Minnesota under subsection (b) shall be deemed to be State trust lands and shall be held in trust for the benefit of the public school system in the State. It is the sense of Congress that, whenever the land acquired by the State of Minnesota under subsection (b) is not being used for revenue-generating activities, the State should make the land available for other compatible uses, including hunting, fishing, hiking, biking, snowmobiling, and trail riding.

(3) BOUNDARIES OF SUPERIOR NATIONAL FOREST.—The Secretary shall modify the boundaries of the Superior National Forest to reflect the land exchange conducted under this section.

(f) RELATION TO OTHER LAWS.—

(1) LAND AND WATER CONSERVATION FUND ACT.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9), the boundaries of the Superior National Forest, as modified by subsection (e)(3), shall be considered to be boundaries of the Superior National Forest as of January 1, 1965.

(2) NOT A MAJOR FEDERAL ACTION.—The land exchange conducted under this section shall not be considered to be a major Federal action.

(3) THYE-BLATNIK ACT.—The Secretary shall not take into consideration the lands acquired by the United States under this Act in determining the appraised value of National Forest System lands in the State of Minnesota used for purposes of making payments to the State of Minnesota under the Act of June 22, 1948, and the Act of June 22, 1956 (commonly known as the Thye-Blatnik Act and Humphrey-Thye-Blatnik-Andresen Act; 16 U.S.C. 577c through 577h).

(g) NO IMPACT ON OTHER LAND EXCHANGES.—The land exchange described in subsection (b) does not affect any land exchange involving National Forest System land in the State of Minnesota underway as of the date of the enactment of this Act.

(h) REPORT.—If the Secretary fails to complete the land exchange described in subsection (b) before the end of the 18-month period beginning on the date of the enactment of this Act, the Secretary shall submit to Congress, not later than 30 days after the end of such period, a report—

(1) specifying the reasons why the exchange has not been completed; and

(2) stating the date by which the Secretary anticipates the conveyance will be completed.

The CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part B of House Report 112–660. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. MCCOLLUM

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 112–660.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 2(a) (page 3, after line 2), insert the following new paragraph (and redesignate the subsequent paragraph accordingly):

(7) The proposed land exchanged would include land ceded or sold in the Treaty with the Chippewa of 1854, in which the signatory tribes reserved hunting, fishing, and gathering rights on the land ceded. Federal courts have affirmed the continuing existence of those rights. The Secretary of Agriculture shall consult on a government-to-government basis with potentially affected Indian tribes and ensure that the land exchange does not impinge upon treaty rights.

In section 2(e)(1)(B)(i) (page 5, line 7), strike ''fishing and hunting rights'' and insert ''fishing, hunting, and gathering rights''.

In section 2(e)(2) (page 5, line 22), insert ''gathering,'' after ''fishing,''.

In section 2(f) (page 6, after line 13), add the following new paragraph:

(3) NO IMPACT ON TREATY RIGHTS.—Nothing in this Act shall limit, alter, restrict, or abrogate, or be construed to have such effect, on rights to hunt, fish, and gather as reserved in Article 11 of the Treaty of September 30, 1854 (10 Stat. 1109).

The CHAIR. Pursuant to House Resolution 773, the gentlewoman from Minnesota (Ms. MCCOLLUM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Minnesota.

Ms. MCCOLLUM. Mr. Chairman, as you've already heard here today, H.R. 5544 is missing an awful lot of important details and taxpayer protections. One major omission in this bill is its failure to acknowledge the treaty rights of Minnesota's tribal nations.

Treaty rights are a predominant concern in this land exchange because unspecified lands are under consideration in H.R. 5544 because we don't have a map. They're all within the Superior National Forest, which is governed by the 1854 treaty between the Chippewa nations and the United States Government.

The terms of the treaty guarantee that tribal nations can continue to fish, hunt and gather, and otherwise use the land to support their way of life. However, in its current form, this bill completely ignores the treaty rights of tribal nations.

The Minnesota process that's moving forward in the State of Minnesota includes the tribal nations. We need to make sure that the Fond du Lac Band of Lake Superior Chippewa, the Bois Forte Band of Chippewa, the Grand Portage Band of Lake Superior Chippewa have their treaty obligations protected and met by the United States Government.

The tribal council of Grand Portage of Chippewa has contacted my office to express their great opposition to this bill. Chairwoman Diver of the Fond du Lac Band of Chippewa has sent letters in opposition to Governor Dayton, Secretary Vilsack of Agriculture, Senators FRANKEN, KLOBUCHAR, and to Representative CRAVAACK.

Mr. Chair, at the appropriate time, I have a copy of that letter to submit to the RECORD.

Minnesota's tribes foresee a negative impact of this bill on their guaranteed treaty rights for use of their land because they are not being considered as part of the process under the Cravaack bill.

The quote from Chairwoman Diver's letter, in fact, is:

We oppose the Minnesota Education Investment and Employment Act until suitable tribal consultation has occurred.

The chairwoman also disagrees with the conclusion that the exchange of more than 86,000 acres without government-to-government consultation ''shall not be considered to be major Federal action.''

It's hard to see how anyone could consider the exchange of land that is being governed by a Federal treaty with sovereign tribal nations to be anything less than a major Federal action. Yet this bill denies the level of consideration for the exchange.

The amendment that I'm introducing would recognize the reserved fishing, hunting and gathering rights of the tribes and other lands under consideration. The language for this amendment was drafted in consultation with legal representation from the three impacted tribes and from input from the Great Lakes Indian Fish and Wildlife Commission.

This amendment will not solve the fundamental problems of this bill, but it is an effort to respond to the threat against tribal interests and tribal sovereignty that this bill contains. This bill does not change the fact that Minnesota now sees the Federal Government in a jump-start effort to establish a process for Minnesota on how to handle the finishing touches to the land transfer.

Well, I believe at least the tribal voices should be at the table to be heard.

So, Mr. Chair, I do not believe that H.R. 5544 should be moved forward. I will be voting against the bill. I want to be clear about that.

However, if this unnecessary, unclear bill is to proceed, at least at a minimum, we should protect our U.S. government-to-government treaty rights and any land exchange.

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

FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA RESERVATION BUSINESS COMMITTEE,
Cloquet, MN, May 30, 2012.

Re The Minnesota Education Investment and Employment Act.

Hon. MARK DAYTON,
Governor of Minnesota, State Capitol, St. Paul, MN.

DEAR GOVERNOR DAYTON: We oppose the passage of the Minnesota Education Investment and Employment Act until suitable tribal consultation has occurred. The Fond du Lac Band of Lake Superior Chippewa Reservation Business Committee is opposed to the Minnesota Education Investment and Employment Act's exchange of over 86,000 acres of land within the 1854 Ceded Territory without any tribal participation in task force meetings or consultation.

The Fond du Lac Band and the other signatories of the 1854 Treaty of LaPointe, 10 Stat. 1109, retain hunting, fishing, and other usufructuary rights that extend throughout the entire northeast portion of the state of Minnesota (the ''Ceded Territory''). In the Ceded Territory, all the Bands have a legal interest in protecting natural resources and all federal agencies share in the federal government's trust responsibility to the Bands to maintain those treaty resources. State agencies also have executive orders affirming the government-to-government relationship between the State of Minnesota and Indian tribal governments located within the State.

The Minnesota Education Investment and Employment Act concludes that it will not affect usufructuary rights and concludes that the exchange of more than 86,000 acres without government-to-government consultation ''[s]hall not be considered to be a major Federal action.'' We disagree with those conclusions and therefore request consultation regarding the proposed land exchange within the Ceded Territory.

Thank you for your consideration.

Sincerely,

KAREN R. DIVER,
Chairwoman.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

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

Mr. Chairman, I respect the gentlelady's concern for Native Americans. As a matter of fact, I will simply say that's one of the reasons when I became chairman of Natural Resources Committee that we had a subcommittee dealing with their issues because I think they were being neglected in the past, and so I share that concern.

But this amendment, honestly, is really not necessary. And I have to say this, Mr. Chairman. At this very last minute here, as we're debating this on the floor, it raises an issue that has not previously been raised.

Let me just go back to the history of this legislation. This issue was not raised at any point during the subcommittee hearing or the full committee markup of this legislation, nor was this issue mentioned in the dissenting views that were filed by the minority in their bill report, nor was this issue raised by the gentlelady from Minnesota's detailed letter opposing this bill that was dated on July 24. So I don't know why it's coming up now when it was not previously raised in the legislative process.

But, Mr. Chairman, I can state very clearly that the Federal Government has a duty to uphold treaty obligations and trust responsibilities to Indian tribes. These will be upheld, and they are not changed by this bill.

There are inherent obligations that the Federal Government has to Indian tribes, and they need to be respected.

This amendment is not necessary and, as written, may potentially raise complex questions about whether the amendment itself would alter the treaty obligations of the Chippewa. The original treaty with the Chippewa of 1854 referred specifically to fishing and hunting rights. This amendment would add the phrase ''gathering'' to those rights, without any definition of scope of what that means.

Lastly, I will credit the Members, the gentlelady who's sponsoring this legislation, she said last night in the Rules Committee and here just a moment ago that, notwithstanding whether this amendment would pass or not, she would be opposing the bill. I take her at her word on that. But this is a last-minute issue that had not been raised.

□ 1320

It's not necessary for us to respect and uphold the rights of tribes, and I think it's being offered by somebody, as was stated, who is just simply opposed to the bill.

So for these reasons, I urge my colleagues to oppose the amendment. I understand the gentlelady has yielded back. I urge a ''no'' vote on the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Minnesota (Ms. MCCOLLUM).

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

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

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

AMENDMENT NO. 2 OFFERED BY MR. HOLT

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 112–660.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 2(b) (page 3, line 12), strike ''shall'' and insert ''may''.

In section 2(f) (page 6, beginning line 3), strike ''RELATION TO OTHER LAWS.—'', ''(1)'', and paragraph (2) relating to an exception from NEPA requirements.

The CHAIR. Pursuant to House Resolution 773, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Mr. Chairman, today we have before us a bill that tells the American taxpayers to take a hike—not to take a walk in the woods, but to give up their place in any decision-making, to get lost, a hike from democracy and engagement in our government—because H.R. 5544 has a provision that would bar all Americans, including Native Americans, from being provided the information about the land exchange to take place and that would bar them from participating in the democratic process of being able to voice their views about the disposition of their property.

My amendment would restore public participation in the development of this proposed land exchange by striking language that would subvert proper environmental review under the National Environmental Policy Act, NEPA. H.R. 5544 continues what we have seen elsewhere on this floor and on the Resources Committee that can only be called an attack on NEPA.

I wonder what my colleagues have in mind, why they have such a strong knee-jerk reaction to this bipartisan initiative that was signed into law by President Nixon, you may recall. Whatever any of my colleagues may think about the advisability of the underlying bill and the exchange that is proposed here, whatever that exchange may be, I would think my colleagues would at least want this to be done with transparency, full knowledge and public participation.

Public participation should always be of the utmost concern when planning public land projects, but it is particularly critical for the exchange that is proposed here. We aren't talking about a small land exchange. We are talking about tens of thousands of Federal acres that will be going out of Federal ownership and into State ownership for the purposes of mining and logging.

The bill doesn't tell us which parcels will be exchanged. We have no map. We really have no idea. We do know that there are 700 miles of snowmobile trails within the Superior National Forest and that there are thousands of lakes, 77 points of lake access, and 13 fishing piers. We know that hunting is allowed on all of these lands, including lands included within the boundary waters.

We also know that no fewer than 25 groups have written in opposition to

this exchange, expressing concerns about their ability to participate in what should be a public process. We also know that 2 million hunters and anglers, represented by the Minnesota Backcountry Hunters and Anglers Association, oppose this bill because, in their words:

Hunters have a vested interest because we now have access to these properties—something that's never guaranteed when management begins switching hands.

Finally, we know why the State of Minnesota wants these Federal lands. They want the lands to generate receipts for their school trust through mining and logging.

So we know some things, but there is much we don't know. There is much that should be brought out to the public. This entire exchange is justified on the State's belief that it is losing $650,000 a year because it can't mine and log lands within the Boundary Waters Canoe Area Wilderness.

The public deserves to know more about this exchange and to have a voice in the future of these lands. I urge my colleagues to support my amendment, which would ensure that the public can play a role in this exchange if the exchange is to go forward.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

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

Mr. Chairman, this amendment would undermine the purposes of the bill by allowing a Cabinet Secretary or even a low-level Federal bureaucrat the authority to override an act of Congress and delay this land exchange.

Let's be specific. This bill directs a land exchange of State lands for Federal forest lands. The simple result of the exchange will be that the boundaries would be State rather than Federal. The management of the lands exchanged in Minnesota will continue to be responsibly managed under State law.

Now, Mr. Chairman, under the U.S. Constitution, it is the legislative branch of government that writes our Nation's laws. It is the responsibility of the executive branch to execute the laws written by Congress. This amendment would result in giving the executive branch the ability to undermine or ignore written law. This land exchange would be subjected to years of costly red tape and bureaucratic foot-dragging. As a matter of fact, Mr. Chairman, that has been going on for 34 years. That's why we are here today.

The priority of the gentleman from Minnesota's bill is the schoolchildren of Minnesota, but it seems the priority of the amendment offered by the gentleman from New Jersey is more Federal red tape to protect Federal bureaucracy and more lawsuits. So I urge the defeat of this amendment.

I reserve the balance of my time.

Mr. HOLT. The chairman must think that it is so inconvenient to deal with a pesky public. Whether this is congressionally mandated or comes about in any way, something of this scale, that of involving the public's land, should involve the public in a very open way in understanding what it will be and in carrying it out. That's all this says. That's all this amendment would do. It would allow the NEPA process, the environmental process that applies to so many things around this country, to apply to this important transaction.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 3 minutes to the sponsor of this legislation, the gentleman from Minnesota (Mr. CRAVAACK).

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

The Secretary already has the authority that the amendment is supposed to possess. That's what got us here in the first place. This amendment would undermine the purposes of the bill by giving the Secretary the option to continue the delaying and obstructing of a land exchange with the State of Minnesota. This is an issue that Minnesota and the Federal Government have been working on for over three decades under existing authorities. This amendment would only continue the status quo, so I must oppose it. Stalling the process further helps no one, least of all the schoolchildren and teachers of Minnesota.

Mr. Chairman, we've had public input for over 30 years, and that has culminated in the bipartisan State Senate File 1750 that was passed earlier this year by an overwhelming bipartisan vote in the State legislature and signed by Democrat Governor Mark Dayton. The public has spoken. The bill has the support of the people of the Eighth District of Minnesota, and it would execute a bipartisan plan passed by the Minnesota Legislature and signed by the Governor. The only groups that oppose this bill are fringe groups, many of those being from out of State.

This amendment would give the environmentalists free rein to sue the Federal Government and have attorneys' fees paid for by the taxpayers of the United States. I urge my colleagues to oppose this amendment.

In addition, we have heard a couple of times today, Where is the map? Well, here it is. Here is the map. H.R. 5544 no longer contains a direct reference to the Forest Service map because H.R. 5544 is executing a State bill, State File 1750, which does specify lands to be exchanged in section 4 of the bill.

□ 1330

Subsection 3. Priority.

An exchange of the State land under this section shall give priority to the exchanges that provide the most opportunity for revenue generation for the permanent school fund, and priority shall be given to lands within the Superior National Forest in the Mesabi Purchase Unit in St. Louis County and in the following townships of St. Louis County:

Township 59 North, Range 14 West;
Township 59 North, Range 13 West;
Township 60 North, Range 13 West;
Township 60 North, Range 12 West.

The Minnesota DNR has maps of these lands. The Forest Service has maps of these lands. Actually, they're available online.

Last year, the Forest Service prepared maps for an earlier draft of H.R. 5544, but when the State passed Senate File 1750, we changed the references in the bill from the Forest Service maps to the State-passed plan.

The reason why H.R. 5544 doesn't specify lands is because it executes the State plan, which does specify the lands. Again, the maps are available from either the Forest Service or the Minnesota Department of Natural Resources.

Ms. MCCOLLUM. Will the gentleman yield?

Mr. CRAVAACK. I yield to the gentlewoman from Minnesota.

Ms. MCCOLLUM. Sir, you said that there is designated land on the other half of the exchange, and very well—the school trust lands. Can you show me a map? I know that the State talks about areas.

The CHAIR. The gentleman's time has expired, and the gentleman from Washington has 30 seconds remaining.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I hear the crocodile tears for no NEPA in this process. I just remind my colleagues that when this area was designated wilderness, NEPA was not involved.

Once the land trade is made, it is subject to the Minnesota Environmental Policy Act. There is a process in which this will be carried out.

I don't support the amendment. I urge a ''no'' vote on the amendment, and I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 3 OFFERED BY MR. ELLISON

The CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 112–660.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 2, insert after subsection (b) the following new subsection (and redesignate subsequent subsections accordingly):

(c) PROTECTING PRIVATE PROPERTY AND SMALL BUSINESSES WITHIN AND ADJACENT TO

SUPERIOR NATIONAL FOREST.—In determining which National Forest System land to exchange under subsection (b), the Secretary shall not include a parcel of National Forest System land in the exchange if the Secretary determines that the inclusion of the parcel or subsequent use of the parcel is likely to have a negative impact on private property, private property values, or small businesses.

The CHAIR. Pursuant to House Resolution 773, the gentleman from Minnesota (Mr. ELLISON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Chair, I rise to present an amendment that would require that as these exchanges go forward, that they would have to be done in a manner that does not hurt private property interests.

There's no doubt that when the exchanges are effected, the people in the forest areas who will acquire them will be looking to mine them, log them, and things like that. But the fact remains that there are other legitimate private property interests there, and these private property interests should be protected.

The bill introduced by my colleague from Minnesota, Representative CRAVAACK, has no protections for areas of high ecological and recreational value, risks the livelihood of small businesses that rely on the recreational tourists to survive and thrive, and risks the values of private property within the Superior National Forest.

In a region that depends upon $1.6 billion of revenue from outdoor recreation, we cannot risk our natural lands for the short-term gain of the mining industry. My amendment would simply ensure that no land would be exchanged if it would likely have a negative impact on private or small business interests.

In this House, we often hear it said we should not pick winners and losers. I agree with that. We shouldn't. Therefore, this amendment, if adopted, would protect and ensure that no land would be exchanged if it would likely have a negative impact on private property interests.

Mr. Chair, I would like you to know that the white areas here are private property. As you can see, they're interspersed in the green. As land is transferred down and exchanged, there's a lot of private land next to the forestland, and the private property interests are at risk, and the amendment, if passed, would protect them.

Many studies have found that private property and housing values decrease the closer they are to mines. Just take it from the standpoint of a small business. Many small businesses depend upon protecting the natural resources in the area. Sulfide mining, being considered in this region, can leach sulfuric acid into lakes and rivers, killing aquatic life and ruining someone's small business or fishing resort. Sulfide mining is generating significant public concern and deserves an open, transparent process of evaluation.

Mining has a role in the economy in its right place and with the right protections. But no one denies that it can harm the environment and small businesses if it is done in the wrong place and in the wrong manner.

Mr. Chairman, let me just talk about Jane Koschak. Jane is the owner of the River Point Resort and Outfitting Company located in the Superior National Forest, and she's very concerned about the impact of this bill on her small business. She says the bill will be absolutely devastating to the tourism economy. She says her own town exists on tourism, which is dependent upon clean water and clean air. She also says private property values in the area are already going down from existing drilling. Mining hurts small businesses like Jane's that cater to the anglers, the paddlers, the hikers, and the vacationers in the region.

We need greater transparency. Minnesota landowners and small businesses deserve an open and transparent process, but that's not what we're getting. The State of Minnesota has already created an open process to transfer State lands within the boundary waters. No Federal legislation is required for this land exchange to take place. We should not be waiving environmental and public comment. At the very least, if we go forward with this misguided bill, we should ensure that private property and small business is protected.

I ask you to support the Ellison amendment and oppose the bill from my colleague in Minnesota.

With that, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, this amendment is unnecessary, and it would allow the Federal bureaucracy an automatic excuse to stop implementation of this bill when it becomes law. It would provide the Forest Service with vague authorities to simply delay or outright block an act of Congress.

Does that sound familiar?

While presented as property rights protection, the plain fact is that this bill only involves the exchange of lands between State lands and State forestlands. So I want to be very clear that not one square inch of private property is included in this exchange. Again, this is only State and Federal lands.

I have to say, Mr. Chairman, on my committee, a lot of our discussion on a variety of issues talks about private property rights. When we have debate on that and when we have votes on amendments on those issues, I find it rather ironic that the party of the gentleman that is offering this amendment always tends to vote against those amendments that protect private property rights.

Once again, the net result of this amendment would be to give the Federal bureaucracy the ability to slow down carrying out this act.

With that, I reserve the balance of my time.

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

The CHAIR. The gentleman from Minnesota has 1¼ minutes remaining.

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

Mr. HASTINGS of Washington. Mr. Chair, I only have one other speaker and we have the right to close, if the gentleman wants to use his time.

Mr. ELLISON. I appreciate the gentleman's reflection that the exchange is between State land and State land, but it's next to private property land. That's exactly the point of my amendment. If I have a business—better yet, not me, but Jane, who does, in fact, have a business—that is next to a mine that is leaching hazardous material, it will negatively impact her business.

This is not a dispute between public and private. It's a dispute between big private interests and smaller ones.

We're here in Congress to stand up for people who need a voice. I doubt these multinational mining interests need Congress to stand up for them, but the Janes who are running resorts in this forest do. We're simply asking you to adopt an amendment that will stand up for the private property rights of regular citizens who had a dream and fulfilled it of opening a resort, opening a tackle shop, doing things that are deeply rooted in Minnesota's heritage.

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

Mr. HASTINGS of Washington. Mr. Chairman, I'm pleased to yield the balance of my time to the author of this legislation, Mr. CRAVAACK of Minnesota.

□ 1340

Mr. CRAVAACK. Mr. Chairman, because of the way this amendment is worded, I have some concerns about how it's going to affect mining and timber jobs in the new school district lands.

I yield to the gentleman to explain how he thinks the amendment would affect jobs in the Eighth District of Minnesota concerning mining and lumber.

Mr. ELLISON. If I understand the gentleman's question correctly, I think that it will negatively impact jobs.

Mr. CRAVAACK. Reclaiming my time, Mr. Chairman, I would ask my colleague if he knows how much mining taxes contribute to the State of Minnesota.

I yield to the gentleman.

Mr. ELLISON. The point of my amendment is that this bill, your bill, is going to hurt small business.

Mr. CRAVAACK. Reclaiming my time.

Mr. ELLISON. Look. I'm not going to yield to you if you won't let me answer the question.

Mr. CRAVAACK. He is out of order, Mr. Chairman.

The CHAIR. The gentleman from Minnesota controls the time.

Mr. CRAVAACK. Mr. Chairman, as you can see from the most recent ''Mining Tax Guide'' from the State of Minnesota, the Eighth District of State of Minnesota contributes $79.1 million to the State of Minnesota. That is just not inclusive of the income related to taxes from jobs from the mining that will go on in the State of Minnesota.

Is the gentleman opposed to mining in Minnesota? Can he give me an example of how he has supported mining?

I yield to the gentleman.

Mr. ELLISON. If the gentleman is going to let me answer, I will be happy to answer you.

Mr. CRAVAACK. I yield to the gentleman.

Mr. ELLISON. Thank you. I appreciate that. Look, the fact is what you're doing is trying to say that you're going to stand up for the big-money people, as opposed to the cumulative small business people. I think if you put the number of small business people together, your big multinational mining interests that are going to pollute their business——

Mr. CRAVAACK. Reclaiming my time, Mr. Chairman, I'm going to tell my colleague how much mining and timber contributes to the school trust fund.

Mr. Chairman, in the most recent school trust fund report, it shows that mining and timber contributed $23.17 million in 2011. Now, maybe that doesn't sound like much here inside the Beltway; but I tell you what, that's a lot of money where I come from.

Does the gentleman think that schools in Minneapolis are adequately funded? I'll answer that for you, probably not. Because in North Branch, Minnesota, where I live, public schools just went to 4 days, and then we've got 40 kids in a classroom. I think our teachers and kids could use the extra funding.

Also I'm very interested right now that now the gentleman is very concerned about small business interests in the rural communities. I find that very enlightening.

I yield to the gentleman if he could tell me how a small business would be affected by this land exchange and job creation.

Mr. ELLISON. I will tell you this, about less than 1 percent of money for schools comes from trust lands. It's a very tiny percentage. I mean, so we're going to sacrifice our heritage for a multinational mining company——

Mr. CRAVAACK. Reclaiming my time, obviously the gentleman from Minnesota does not think any money going into the school trust fund is beneficial. Decisions such as these should not be made by Washington bureaucrats in D.C. They should be made by Minnesotans, and that is how we got into this mess in the first place.

The bill merely executes a bipartisan State plan signed by the Governor, State senate file 1750. We cannot trust Washington political appointees with the power to derail this land exchange at the expense of Minnesota schoolchildren and their teachers.

I urge my colleagues to oppose this amendment.

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

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

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

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

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

AMENDMENT NO. 4 OFFERED BY MR. GRIJALVA

The CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 112–660.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 2, strike subsection (c) (page 3, beginning line 21) and insert the following new subsection:

(c) VALUATION OF LANDS FOR EXCHANGE.—

(1) EQUAL VALUE EXCHANGE REQUIRED.—The fair market value of the land to be exchanged under subsection (b) shall be equal.

(2) APPRAISAL TO DETERMINE FAIR MARKET VALUE OF FEDERAL LAND.—The Secretary shall determine the fair market value of the National Forest System land to be conveyed under subsection (b)—

(A) in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(B) based on an appraisal that is conducted in accordance with nationally recognized appraisal standards, including the Uniform Appraisal Standards for Federal Land Acquisition and the Uniform Standards of Professional Appraisal Practice.

The CHAIR. Pursuant to House Resolution 773, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. The amendment I am offering does one simple thing and one thing only. It ensures that this land trade is fair and protects the American taxpayers.

For every land exchange undertaken by the Forest Service, the Bureau of Land Management, Park Service, or Fish and Wildlife Service, land managers must ensure taxpayer assets are protected by requiring land appraisals based on accepted Federal standards. This House has considered six different land exchange bills in this Congress. Each and every one of them required standard appraisals for those lands, and they all passed.

But today we have a bill that defers to legislation passed by the State of Minnesota to control the examination and the value determination of Federal lands. This is not how we treat Federal assets. Whether a land exchange is undertaken through an administrative process or through legislation, we require a standard appraisal and equalization payments if the value of the lands considered for exchange are not equal.

Surely we can provide better protections to the taxpayers of this country.

The last estimate, and I will stress estimate of the value of the land in question, was nearly $100 million. Do we really want to abandon our responsibilities as stewards to Federal taxpayers and waive fair appraisal standards?

Surely we can hold Congressman CRAVAACK's legislation to the same bar and standard we required for Congressman HERGER, Congressman GOSAR, Congresswoman TSONGAS, Congressman MCKEON, Congressman AMODEI's bill and, yes, my own bill.

I understand a lot of Members on the other side of the aisle would happily turn over Federal lands to the States. In fact, that position is reflected in their party's platform. But this isn't what we're voting on today. Today we're voting on a land deal that shouldn't turn the taxpayer interests upside down.

I would urge support of my amendment, and I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

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

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

Mr. Chairman, the purpose of this bill is to ensure a fair exchange of lands on States in Federal areas, and there are protections that were put specifically in the bill. Of course, the big protection is that the Secretary of Agriculture, who is a Federal representative in this process, has to agree. So, I mean, you have got one party, two parties that have to agree, and one of them is Federal. Now what could be more protection than that.

Now, let me go back just a minute. We seem to have to talk about the history of this.

The valuation of the land in 1978, when this wilderness area was developed—I wasn't here, nobody here on the floor that's debating this was here at that time; but I doubt if there was a valuation given to Minnesota at that time, and now they want to come back and say, okay, we have to have a precise valuation on the Federal level.

Come on. This corrects something that was not done in 1978. This amendment simply slows down the process, which I might add, Mr. Chairman, that seems to be what the process is with all four amendments that were taken up to date, slow down the process. Thirty-four years, isn't that long enough?

This is not a good amendment. I urge rejection of it, and I reserve the balance of my time.

Mr. GRIJALVA. I yield the balance of my time to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. I thank Mr. GRIJALVA.

This is not about slowing down the process, and I know it's not the intention of the Members on the other side to assume my motivations. I know it's not their intention.

This and the amendments that I offered are because there is a process in place in Minnesota that allows for people to be at the table, for tribes to be at the table to follow the regular order to have a regular appraisal like everyone else has had, and to have a map on the floor and not start creating a wave of Federal legislation that, to my knowledge, to my knowledge, no one has asked for this legislation to have a vote on the floor today.

There is no Senate companion. There is no urgency; there is no emergency. The State of Minnesota has a process in place; and I will say, as a State legislator, there were times, yes, I didn't think we needed to move forward with the land exchange.

But the northern legislators are convinced, overwhelmingly with the Governor of Minnesota, that this land exchange needs to take place, and it should take place, and I'm not trying to slow it down. I am trying to take this bad legislation and put it aside and let the good legislation and let the regular order that the State of Minnesota has established in order to have these land exchanges move forward. That is my motivation, good legislation, not for the first time in the history of the floor of this House passing a land exchange without a map and for the first time that I've heard not use the regular Federal standard appraisal process.

It sets a bad precedent. I don't think anybody is out to do wrong by the schoolchildren of Minnesota.

□ 1350

My children attended K through higher ed in Minnesota, and I know how strapped we are for cash. And I do believe that there will be very slight amounts of dollars that will go back into school trusts, but that's going to happen whether or not we take this bad vote on this bad bill today or not.

The schoolchildren in Minnesota will be served. This land will be exchanged. The question for this Congress is: Do we do it the right way; do we do it the wrong way; do we set a bad precedent for future land exchange bills; or do we make sure that we allow a fair, open, transparent process that started in Minnesota, finishes in Minnesota?

Mr. HASTINGS of Washington. Will the gentlelady yield?

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

Mr. HASTINGS of Washington. Do I understand the time on the other side has expired?

The CHAIR. The gentlewoman has yielded back the balance of her time.

Mr. HASTINGS of Washington. Does the gentleman from Arizona still have time?

The CHAIR. No, the gentleman from Arizona yielded the remaining time to the gentlewoman from Minnesota, and she yielded back the balance of her time.

The time is expired.

Mr. HASTINGS of Washington. That is what I was trying to get to.

I am very pleased to yield the balance of my time, again, to the author of this legislation, the gentleman from Minnesota (Mr. CRAVAACK).

The CHAIR. The gentleman is recognized for 3½ minutes.

Mr. CRAVAACK. I rise in opposition to the amendment. This amendment is unnecessary and would only further serve to delay implementation of the overall bill. The valuation of the lands to be exchanged as required by Minnesota senate file 1750 requires that the lands not only be substantially equal in value, but that the valuation is done ''in a manner as agreed to between the State commissioner and the authorized representative of the United States.'' In addition, subsection (d) of H.R. 5544, on page 4, requires the survey to be satisfactory to the Secretary of Agriculture.

We have had 30 years of delay, 30 years of appraisals, 30 years of mapmaking. We don't need any more. These are the lands of the children of Minnesota, and they're entitled to them.

Mr. Chair, the State knows what the land is worth just as well as the Federal Government. We can do it for lower cost since so much of the work has already been done. The lands have been identified. Here's the map. This section right here and this section right through there.

This amendment is a stall tactic, quite frankly, to increase the administrative burden and increase costs to the State.

Subsection (d) also requires for the State to cover all costs. It is grossly unfair to ask the State to pay for an appraisal and then be made to comply with bureaucratic Federal rules in the process of valuation. The legislation leaves the Secretary ample authority to properly protect taxpayers and does not waive any applicable appraisal standards. Both H.R. 5544 and Minnesota Senate File 1750 require negotiations to be mutually agreed upon, and the lands conveyed to the State would be subject to all applicable State and local laws.

I urge my colleagues to oppose this amendment.

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

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

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

Mr. GRIJALVA. Mr. Chair, I demand a recorded vote.

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

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 112–660 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. MCCOLLUM of Minnesota.

Amendment No. 2 by Mr. HOLT of New Jersey.

Amendment No. 3 by Mr. ELLISON of Minnesota.

Amendment No. 4 by Mr. GRIJALVA of Arizona.

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

AMENDMENT NO. 1 OFFERED BY MS. MCCOLLUM

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Minnesota (Ms. MCCOLLUM) 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 CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 201, noes 213, not voting 15, as follows:

[Roll No. 563]

AYES—201

Ackerman
Altmire
Andrews
Baca
Barber
Barrow
Bass (CA)
Becerra
Berg
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Camp
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kline
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lungren, Daniel E.
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern

McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Noem
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Rehberg
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tipton
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Wilson (FL)
Woolsey
Yarmuth
Young (FL)

NOES—213

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

NOT VOTING—15

Akin
Baldwin
Broun (GA)
Brown (FL)
Burton (IN)
Butterfield
Culberson
Gingrey (GA)
Herger
Hirono
Holden
Jackson (IL)
Ryan (WI)
Towns
Welch

□ 1418

Messrs. MANZULLO and BISHOP of Utah changed their vote from ''aye'' to ''no.''

Messrs. PERLMUTTER, NEAL, JONES, DOLD, HANNA, DANIEL E. LUNGREN of California and RUSH changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

MOMENT OF SILENCE IN HONOR OF AMBASSADOR STEVENS AND AMERICAN PERSONNEL KILLED IN LIBYA

The Acting CHAIR (Mr. BOEHNER). Last night, Americans received a jolting reminder that freedom remains under siege by forces around the globe who relish violence over free expression and terror over democracy.

The Chair asks that all present rise and observe a moment of silence in honor of Ambassador Stevens and the American personnel killed in Libya.

AMENDMENT NO. 2 OFFERED BY MR. HOLT

The Acting CHAIR (Mr. WOMACK). Without objection, 2-minute voting will continue.

There was no objection.

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 177, noes 236, not voting 16, as follows:

[Roll No. 564]

AYES—177

Ackerman
Altmire
Andrews
Baca
Barber
Barrow
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—236

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble

Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—16

Akin
Baldwin
Broun (GA)
Brown (FL)
Burton (IN)
Butterfield
Culberson
Gingrey (GA)
Herger
Hirono
Holden
Jackson (IL)
LaTourette
McCarthy (CA)
Ryan (WI)
Schock

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1427

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. ELLISON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. ELLISON) 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 190, noes 225, not voting 14, as follows:

[Roll No. 565]

AYES—190

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tipton
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
Young (FL)

NOES—225

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

NOT VOTING—14

Akin
Broun (GA)
Brown (FL)
Butterfield
Culberson
Franks (AZ)
Gingrey (GA)
Herger
Hirono
Holden
Jackson (IL)
McCarthy (CA)
Myrick
Ryan (WI)

□ 1431

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. GRIJALVA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 191, noes 223, not voting 15, as follows:

[Roll No. 566]

AYES—191

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre

McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—223

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

NOT VOTING—15

Akin
Broun (GA)
Brown (FL)
Butterfield
Culberson
Fortenberry
Gingrey (GA)
Herger
Hirono
Holden
Jackson (IL)
Landry
McCarthy (CA)
Ryan (WI)
West

□ 1435

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. WOODALL). Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. WOODALL, 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. 5544) to authorize and expedite a land exchange involving National Forest System land in the Laurentian District of the Superior National Forest and certain other National Forest System land in the State of Minnesota that has limited recreational and conservation resources and lands owned by the State of Minnesota in trust for the public school system that are largely scattered in checkerboard fashion within the Boundary Waters Canoe Area Wilderness and have important recreational, scenic, and conservation resources, and for other purposes, and, pursuant to House Resolution 773, he reported the bill, as amended by that resolution, back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1440

MOTION TO RECOMMIT

Mr. ELLISON. I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. ELLISON. I am opposed to the bill.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Ellison moves to recommit the bill H.R. 5544 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

At the end of section 2(b) (page 3, line 20, of the Rules Committee print), insert the following new sentence: ''The Secretary may not include in the exchange under this section any National Forest System land in the State that, as of the date of the enactment of this Act, is used for hunting, fishing, or motorized recreation, including snowmobiling in season.''.

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 5 minutes.

Mr. ELLISON. Mr. Speaker, this final amendment to the bill, if adopted, will not kill the bill or send it back to committee. This bill will immediately be voted upon on final passage as amended.

Mr. Speaker, this bill that we're arguing about right now actually is not necessary. The Minnesota State legislature has already decided that in one of the most beautiful wildernesses in our country, the Boundary Waters, that there will be about 86,000 acres transferred out of there into the Superior National Forest. The land will be moved from this wilderness area into the Superior National Forest, and the proceeds will be used to benefit Minnesota schoolchildren.

What this bill actually does is it doesn't actually facilitate the transfer. The Minnesota State legislature has handled that. What it does is it allows the circumvention of the regular process so that Minnesotans who are part of the business community, the school community, the local community, who are part of the recreational community, who have a stake in this thing, that they will be cut out of the deal. They won't be able to have the transparency that is necessary.

Without a doubt, the land that will be transferred will be transferred for the purpose of commercial exploitation, most likely mining. And mining, as you know, may have commercial importance and commercial benefit, but it is a dirty business. It does affect the businesses that are around it.

This bill is designed to help and will help the mining and the timber industry in northern Minnesota. But as we go about this process, we can at least do what we can to make sure that as the transfer takes place, that the outdoor recreational businesses, which are about $1.6 billion in northeastern Minnesota, do not get sacrificed in the process.

The Superior National Forest and Chippewa National Forest and the Boundary Waters Canoe Area Wilderness make up Minnesota's premiere outdoor recreation area. They're just beautiful. I can tell you, Mr. Speaker, there's been many a time when I've led young people up to the Boundary Waters so they can get out of the urban environment, into the natural wilderness, and experience what I believe is God's country.

As we effect this change and these land swaps are taking place, and there's no real process—we're bypassing it through this bill—to have real transparency, the interests of the recreational industry, the people who fish, the people who paddle, the people who hunt, and the businesses that supply them are at stake.

My amendment would simply protect the land in these forests currently used for hunting, fishing, snowmobiling, bird watching, and all sorts of other activities, and the commercial interests associated with allowing them to do that.

The land that we're talking about has very high recreational value. The

Chippewa and Superior National Forest provide habitat for hunting and game like grouse, deer, or waterfowl. They contain some of the Nation's best fishing lakes, filled with trout, walleye, bass, and pike. I encourage all of you to come and visit. They attract 250,000 visitors every year, Americans of all kinds, but even international visitors, but mostly Minnesotans right from the area and from the Twin Cities.

The fact is the Superior National Forest is the eighth-most visited in the entire National Forest system. They drive, as I mentioned already, Mr. Speaker, $1.6 billion in tourism and recreation industry in northeastern Minnesota. Thousands of small businesses rely on the National Forest, including everything from resorts, to hunting outfitters, to local restaurants and shops.

I might add, there are almost—in fact, I would say there are no—restaurants or outfitters who name their business after the sulfide mines. No. They call themselves the Boundary Waters Cafe. They name themselves after the beauty and the natural wonder in the area.

This bill puts recreation at risk and the industry that supports it. This bill provides no protection for lands with high recreational value. In fact, it explicitly says that land acquired by the State should be used first for revenue-generating activities, such as mining and logging. This is why hunting and angling groups in Minnesota oppose the bill, including the Minnesota Conservation Foundation, Minnesota Backcountry Hunters and Anglers, and the Minnesota division of the Izaac Walton League.

What's more, Mr. Speaker, the bill does not even identify which lands will be exchanged. We don't even know in this map which private property interests will be affected.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Speaker, apparently the author of the motion to recommit did not read the underlying bill because what he seeks to do is say you can't exchange land that is open to essentially multiple use, recreational activities. On section 2 of page 5, very specifically in the bill, it says that these activities shall be allowed.

I don't know exactly what point the gentleman is trying to make by offering this motion to recommit, unless it is a political statement of some sort. Even if it's a political statement, I have to say, Mr. Speaker, it falls short in that regard.

Why do I say that? Because last spring, specifically on April 17, we had a bill that this body considered on the floor, H.R. 4089, authored by our colleague from Michigan, Mr. BENISHEK, called the Sportsmen's Heritage Act of 2012. The essence of that bill was to allow hunting and recreation on Federal lands, and yet the author of the motion to recommit is coming down here saying we should have multiple use on this forest, but he voted against the bill, H.R. 4089, this spring.

□ 1450

I have to tell you, Mr. Speaker, the crocodile tears I hear or see from the other side is overwhelming to me. This motion to recommit ought to be defeated. The land exchange that is authored by our colleague from Minnesota rights a wrong that was wrongly made 34 years ago.

I urge my colleagues to vote ''no'' on the motion to recommit and ''yes'' on passage.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 183, noes 233, not voting 13, as follows:

[Roll No. 567]

AYES—183

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—233

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

Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—13

Akin
Broun (GA)
Brown (FL)
Butterfield
Culberson
Gingrey (GA)
Herger
Hirono
Holden
Jackson (IL)
Johnson, Sam
Moran
Ryan (WI)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1505

Mr. YARMUTH changed his vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 225, noes 189, not voting 15, as follows:

[Roll No. 568]

AYES—225

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

NOES—189

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
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Clay
Cleaver
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Cohen
Connolly (VA)
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Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
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Pingree (ME)
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Price (NC)
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Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
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Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
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Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
Young (FL)

NOT VOTING—15

Akin
Broun (GA)
Brown (FL)
Butterfield
Chandler
Culberson
Gingrey (GA)
Herger
Hirono
Holden
Jackson (IL)
Johnson, Sam
Moran
Ryan (WI)
Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1512

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FISA AMENDMENTS ACT REAUTHORIZATION ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, pursuant to House Resolution 773, I call up the bill (H.R. 5949) to extend the FISA Amendments Act of 2008 for five years, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. YODER). Pursuant to House Resolution 773, the amendment in the nature of a substitute recommended by the Committee on the Judiciary printed in the bill is adopted, and the bill, as amended, is considered read.

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

H.R. 5949

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''FISA Amendments Act Reauthorization Act of 2012''.

SEC. 2. FIVE-YEAR EXTENSION OF FISA AMENDMENTS ACT OF 2008.

(a) EXTENSION.—Section 403(b) of the FISA Amendments Act of 2008 (Public Law 110–261; 122 Stat. 2474) is amended—

(1) in paragraph (1), by striking ''December 31, 2012'' and inserting ''December 31, 2017''; and

(2) in paragraph (2) in the material preceding subparagraph (A), by striking ''December 31, 2012'' and inserting ''December 31, 2017''.

(b) CONFORMING AMENDMENT.—The heading of section 404(b)(1) of the FISA Amendments Act of 2008 (Public Law 110–261; 122 Stat. 2476) is amended by striking ''DECEMBER 31, 2012'' and inserting ''DECEMBER 31, 2017''.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence.

The gentleman from Texas (Mr. SMITH) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes. The gentleman from Michigan (Mr. ROGERS) and the gentleman from Maryland (Mr. RUPPERSBERGER) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 5949, as amended, and currently under consideration.

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

There was no objection.

Mr. SMITH of Texas. I yield myself such time as I may consume.

Mr. Speaker, America and its allies continue to face national security threats from foreign nations, spies, and terrorist organizations. Our national security agencies must be able to conduct surveillance of foreign terrorists and others so we can stop them before they disable our defenses, carry out a plot against our country, or kill innocent Americans.

In 1978, Congress enacted the Foreign Intelligence Surveillance Act to provide procedures for the domestic collection of foreign intelligence. To protect Americans' civil liberties, FISA created Foreign Intelligence Surveillance Courts comprised of sitting Federal court judges.

□ 1520

If the government needs to collect domestic information for national security purposes, it must first request permission from a FISA judge. This is limited to domestic information. FISA was never intended to apply to the collection of information from non-U.S. persons in foreign countries.

But advances in technology over the last 40 years have changed how overseas communications are transmitted. In 2006, then-Director of National Intelligence, Admiral Mike McConnell, stated that the intelligence community was not collecting approximately two-thirds of the foreign intelligence information that it collected prior to legal interpretations that required the government to obtain individualized FISA court orders for overseas surveillance. To solve the problem, in 2008, Congress passed the FISA Amendments Act to reaffirm our longstanding intent that a court order is not required when a non-U.S. person outside the U.S. is targeted. The act continues the authority to collect intelligence from foreign targets located outside the United States.

The FISA Amendments Act both strengthens our national security and expands civil liberties protections for all Americans. The act requires an individualized court order for the government to target an American anywhere in the world. Under the FISA Amendments Act, the government cannot conduct any surveillance overseas without authorization. The government cannot target individuals unless there is a reasonable belief they are not in the United States, which the government must try to ascertain.

The government cannot intentionally acquire communications when the sender and recipient are both in the United States without an individualized court order from a FISA judge. The government cannot reverse-target individuals overseas in order to monitor those in the United States. This means that the government cannot target a U.S. person simply by monitoring a non-U.S. person that the U.S. person is talking to. And for the first time in history, the government must obtain an individualized court order from the FISA court to target Americans outside the United States.

Foreign surveillance under the FISA Amendments Act is subject to extensive oversight by the administration and Congress. Every 60 days, Justice Department national security officials and the Director of National Intelligence conduct onsite reviews of surveillance conducted pursuant to the FISA Amendments Act. In addition, the Attorney General and the Director of National Intelligence conduct detailed assessments of compliance with court-approved targeting and minimization procedures and provide these amendments to Congress twice a year.

The administration also is required to submit to the Judiciary and Intelligence Committees a copy of any FISA court order opinion or decision. It must also submit the accompanying pleadings, briefs, and other memoranda of law from national security officials within the intelligence community that relate to a significant construction or interpretation of any provision of FISA.

This law will expire at the end of this year unless Congress reauthorizes it. President Obama has identified reauthorization of the FISA Amendments Act as the top legislative priority of the intelligence community and requests Congress to extend the law for 5 years. H.R. 5949 is a bipartisan piece of legislation to do just that, extend the FISA Amendments Act to December 31, 2017.

Foreign terrorists continue to search for new ways to attack America. Foreign nations continue to spy on America, to plot cyberattacks, and attempt to steal sensitive information from our military and private sector industries. They are committed to the destruction of our country, and their methods of communication are constantly evolving.

We have a solemn responsibility to ensure that the intelligence community can gather the information it needs to protect our country and protect our citizens. This bipartisan bill ensures that our country will be able to identify and prevent threats to our national security without sacrificing the civil liberties of American citizens.

I urge my colleagues to join me in support of this bill, and I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, on our side, I would begin our discussion by yielding 3 minutes to the distinguished senior member of Judiciary, ranking member of Immigration, the gentlewoman from California (Ms. LOFGREN).

Ms. ZOE LOFGREN of California. Mr. Speaker, I urge this body to reject this bill.

The surveillance bill raises several serious constitutional and civil liberties issues that Congress needs to address and has not addressed in this bill, and I'd like to discuss just one of those.

Congress should prohibit the Federal Government from intentionally searching for information on a U.S. person in a data pool amassed lawfully under section 702 of FISA—should such a data ever be amassed—unless the searching official has a warrant.

Now, the FISA Amendments Act of 2008 does not make clear that the government must obtain a warrant prior to searching for information acquired incidentally on a U.S. person in a large pool of data that the government has already lawfully obtained under section 702, should such a data pool ever be amassed. Instead, the information about the U.S. person in such a situation is subject to minimization procedures adopted by the Attorney General, and that must be approved by the FISA court, but that does not explicitly include a warrant requirement, which I think the Constitution requires.

The prohibition on reverse-targeting—where the government deliberately targets a non-U.S. person for the purpose of acquiring information about the U.S. person at the other end of the line—is not a substitute for the warrant requirement to search a database for U.S. persons, should such a database ever be amassed under section 702. Minimization procedures are not a substitute for a warrant in such a case.

Now, I think that the government needs to comply with the Fourth Amendment to the Constitution all the time. I think that the privacy of Americans should not be subject to the lower standard of minimization procedures. That's not in the Constitution. And I think, also, that when we think that we should trade the protections that our Founding Fathers devised for us in the United States Constitution in the effort to buy safety, we're mistaken. We can be safe while still complying with the Constitution of the United States.

I'm mindful that we began this Congress reading most of the United States Constitution on the floor of this House. It's ironic, indeed, that we should be ending this Congress with a bill that does violation to that very body.

I thank the gentleman for yielding.

Mr. SMITH of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. DANIEL E. LUNGREN), who is the chairman of the Administration Committee here in the House, a senior member of the Judiciary Committee, and a former attorney general of California.

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the extension of the FISA Amendments Act of 2008.

I would just have to say this is critical to the protection of the American people. With the events over the last couple of days, we need not be reminded of this solemn responsibility 1 day after the 11th anniversary of 9/11.

If you will recall, one of the main points made by the 9/11 Commission in

their after-action report was that we, as a Nation, had not done enough—that is, the Government of the United States had not done enough—to connect the dots to warn us sufficiently to protect against the attack which caused the death of over 3,000 on our homeland. In order to connect the dots—that is, the items of information, the intelligence—you have to have the dots, you have to have the intelligence. That's precisely what the extension of these amendments will allow us to do.

But initially, it's important to understand from the outset of this debate what this legislation would do as well as what it does not do.

□ 1530

We are seeking to address the essential need for us to be able to monitor communications by terrorists and other foreign adversaries located outside the United States. We're not debating the PATRIOT Act here. We're not talking about national security letters. We're not talking about those things that are directed at Americans.

The annual certification procedures provided under the FISA Amendments Act do not allow the targeting of Americans outside the United States. Thus, if an American is targeted anywhere in the world, or if a person is targeted within the United States, an individualized court order is required.

In cases involving a foreign terrorist outside the United States, the Foreign Intelligence Surveillance Court approves annual certifications submitted by the Attorney General and the Director of National Intelligence. This is a court made up of article III judges, judges with lifetime appointments, with the independence that was accorded them under the Constitution.

And I would remind my colleagues that the appellate review, the appellate division of the Foreign Intelligence Surveillance Court, is also comprised of article III judges.

It is important to note we're not providing for warrantless surveillance here. In fact, the FISA Amendments Act has enhanced the statutory protections afforded to U.S. persons under the law. Because it was the first time, under these amendments that we wish to extend, we required an individual FISA court order to conduct overseas intelligence collections on U.S. citizens and permanent residents. Even if they're overseas, we now require that. It was not required by statute before that.

Before that, the Attorney General approved such collections against U.S. persons outside the U.S., pursuant to an executive order of the President. We all know that executive orders of the President can be changed by a President while in office, or a succeeding President.

I would submit that if you are concerned about civil liberties, and I assume everybody in this debate is, returning to the good old days prior to the enactment of the FISA Amendments Act is not a step forward for civil liberties.

It should also be understood that we're not seeking to extend the underlying Foreign Intelligence Surveillance Act in its entirety. Today we're attempting to achieve the rather modest purpose of the 2008 amendments. Again, court approval of annual certification by the DNI, the Director of National Intelligence, and the Attorney General, identifying categories of foreign intelligence agents outside the United States is required. An individualized court order is required in other cases.

The legislative history of FISA is instructive. The House Permanent Select Committee on Intelligence report that accompanied FISA in the initial act in 1978 clearly expressed Congress' intent to exclude overseas intelligence activities from the reach of FISA. These were the words of that report:

> The committee has explored the feasibility of broadening this legislation to apply overseas, but has concluded that certain problems and unique characteristics involved in overseas surveillance preclude the simple extension of this bill to overseas surveillance.

In other words, overseas surveillance was never the focus of the 1978 act. Rather, it focused on domestic surveillance of persons located within the United States to ensure that there were protections in that regard.

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

Mr. SMITH of Texas. I will yield the gentleman an additional minute.

Mr. DANIEL E. LUNGREN of California. The FISA Amendments Act under consideration here today requires an individualized court order in cases where an American is the target, no matter where they may be located.

Here's the reason why this is important. It is the change in communications, the nature of communications that required us to do the amendments. If we fail to pass this, we will, as former DNI Director McConnell stated, we will lose two-thirds of those dots, those bits of information, the intelligence that we need to connect to protect us. We will put in very much manner the country at risk.

If you look at a simple risk analysis, you have to do threat, you have to do vulnerability, you have to do consequence. We can figure out what the vulnerability is by our inspection of our own resources and infrastructure. We can figure out what the consequences are.

What we have to have, in order to figure out the threat, is a means of collecting intelligence. We have to pass this law, a bipartisan law.

I recall being here and having the former Speaker of the House spend, I think, 7 minutes arguing on behalf of this, and the gentleman who is Number two on the Democratic side as well.

It has never been partisan. Hopefully, we can have bipartisan support expressed in the vote for these amendments.

Mr. CONYERS. Mr. Speaker, I yield myself 15 seconds to let my distinguished colleague and friend from California know that we're in complete agreement with most of what he said, except that all we want to do is limit this to a 3-year measure instead of 5 years. Now, there's a compromise you can't turn away from.

At this point I yield 3 minutes to the distinguished senior member from the Judiciary Committee, JERRY NADLER.

Mr. NADLER. I thank the gentleman.

Mr. Speaker, I rise in opposition to the FISA Amendments Act of 2012. If we had had an opportunity to evaluate this law based on experience with it, and to consider some amendments and alternatives, this opposition would not be necessary. But the Republican majority has, once again, told the Members of this House and the American people that it's ''my way or the highway.''

While it is certainly appropriate for our government to gather foreign intelligence, and while some degree of secrecy is obviously necessary, it is also vital in a free society that we limit government, protect the constitutional rights of Americans here and abroad, and limit warrantless spying to genuine foreign intelligence.

Unfortunately, we have seen repeatedly how even the very minimal restraints Congress put on FISA have been violated. We should address those abuses. Congress has an obligation to exert more control over spy agencies than simply to give them a blank check for another 5 years.

The gentleman from Michigan (Mr. CONYERS) had an amendment that would have shortened the sunset by 2 years, but we won't even have a chance to consider it, perhaps because some of our Republican colleagues might also want to support such an amendment. As a result, we will not revisit the law until after the end of the next presidential term.

And if we had cut shorter this extension, we could do what we should have done but haven't: hold hearings, look into how the law is operating, and decide what amendments and protections are necessary to make sure it operates right so that we can collect the intelligence without violating the constitutional rights of Americans.

I had an amendment that would have required the Attorney General to make publicly available a summary of each decision of the FISA court and the FISA court of review that includes a significant construction of section 702, which allows warrantless surveillance, with appropriate security redactions and editing.

Many American citizens and others who have nothing to do with foreign intelligence gathering are caught up in this surveillance, and government has an obligation to protect their rights. The FISA court is supposed to do that, and we need to ensure that the law and the courts are working.

Disclosure of classified information is not needed to know whether the court performs meaningful oversight of

the executive branch, applies minimization standards correctly, and whether or not we ought to amend the law.

The gentleman from Wisconsin (Mr. SENSENBRENNER) said, ''rather than playing the numbers game, either with the actual targets or the people who are incidentally surveilled, perhaps decisions of the FISA court, particularly the review of the FISA court, appropriately redacted, would be able to give us the answer to that question. I have always been one that favored disclosure.''

The gentleman from Wisconsin is right. If the FISA court is just a rubberstamp of the executive branch, we and the public should know that. And if the court really does provide meaningful oversight and meaningful limitations on the executive branch, we and the public should know that too.

But we won't get to discover that or to debate that. Failure to do so is a dereliction of our constitutional duty to protect the constitutional rights of American citizens and the betrayal of our liberties.

I urge my colleagues to reject this legislation and demand that we properly consider this very important issue by a somewhat shorter extension and by proper hearings and examination of the limitations and the workings of this law.

Mr. SMITH of Texas. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCLINTOCK).

□ 1540

Mr. MCCLINTOCK. I want to thank the chairman for yielding to a contrary point of view.

Mr. Speaker, FISA allows the government to target foreign nationals and to intercept their communications, even those with American citizens, without a warrant, as required by the Fourth Amendment.

Now, we're told don't worry. The law requires that any irrelevant information collected in this manner be disregarded. Well, here is the problem. The enforcement of this provision is, itself, shrouded in secrecy, making the potential for abuse substantial and any remedy unlikely. Secret courts and warrantless surveillance are not compatible with a free society or the English common law or the American Constitution.

We are told FISA is necessary to stop terrorist plots and that this protection trumps privacy or due process concerns. Well, Ben Franklin answered that argument years ago when he warned us that those who can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety. In fact, America's security is far better assured as a thriving free society in a world that respects her strengths and fears her just vengeance.

Mr. CONYERS. Mr. Speaker, I yield myself 20 seconds to commend the statement by the gentleman from California in this regard. Also, on the subject of transparency, two Senators—one from Oregon, the other from Colorado—asked the Director of National Intelligence how many Americans are affected by this law.

The answer: We don't know.

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

Mr. CONYERS. I yield myself 10 more seconds.

Now, we don't know if he meant that he didn't want to tell us that he knew or that he honestly didn't know. Either response or explanation is inadequate.

Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentlelady from Houston, Texas, Ms. SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. Thank you, Mr. Chairman.

Mr. Speaker, I am delighted to join the chairman of the full committee and the ranking member of the full committee in this vigorous debate on the Constitution. I am also delighted that the ranking member has indicated, by his reference to the previous speaker, that this is a bipartisan challenge and question about the reauthorization. This does not have a partisan place. It does have a place in the Constitution.

As I do this, might I take just a moment, Mr. Chairman and Mr. Ranking Member, just to acknowledge the loss of our Americans who fell in Libya—Ambassador Stevens and those who were securing him. It is a recognition that we live in a difficult world; but one of the distinctive aspects of America is that we live in a free country, that we are willing to accept the distinctions and differences of all people and that we respect the privacy and the Fourth Amendment.

So I might refresh my fellow colleagues as to what FISA does from the very beginning. It is electronic surveillance, physical searches, the installation and use of pen registers and trap-and-trace devices, and demands for the production of physical items. Although FISA is designed for intelligence gathering and not for the collection of criminal evidence, the law applies to activity to which a Fourth Amendment warrant requirement would apply if they were conducted in a criminal investigation. Members need to understand there are questions of the Fourth Amendment right here. So what those of us who have a concern on this reauthorization are asking for has simple premise:

We want to join with Congressman CONYERS and his simple amendment that allows for greater congressional oversight and the protection of the Fourth Amendment as it relates to Americans by shortening the reauthorization to 2015 from 2017. It intrudes the Congress properly in oversight. In addition, there should be more transparency in the surveillance program, such as requiring the creation of unclassified versions of the intelligence assessments of the surveillance program, requiring the creation of unclassified summaries.

I introduced a simple amendment. We all have respect for the Inspector General's office. That is one independent force of our agencies that most Members of Congress will not challenge. My amendment would require a report by the Inspector General of the Department of Justice and the Inspector General of the intelligence community on the implementation of the surveillance program under the FISA Amendments Act of 2008.

Now, let me try to find out what the horrifically liberal groups are that are concerned about this. What about the American Library Association? the Association of Research Libraries? the very well-respected Brennan Center for Justice? the Center for Democracy & Technology? the OpenTheGovernment .org?

What we are simply saying today—and we hope our colleagues will listen on both sides of the aisle—is that, yes, we can reauthorize this legislation but that, no, we cannot abdicate the questions of congressional oversight. Today, we had a hearing on the abuse of power. The only issue in abuse of power is whether or not we respect the three branches of government. That is the argument we are making today. Do you respect the three branches of government—the people's House, who represent the people, who by themselves cannot defend themselves against this extensive reauthorization?

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

Mr. CONYERS. I yield the gentlelady 30 more seconds.

Ms. JACKSON LEE of Texas. In the course of this particular legislation, we had to contend with such things as warrantless wiretapping. Again, as I indicated, the need for the intruding of the Congress is a respect of the liberties which we want to protect.

So I would ask my colleagues to yield to transparency, to yield to a shorter extension. Make this bill stand on its own two feet juxtaposed to the Constitution. While we mourn those who have fallen, we respect that this is a free country. Today, we are not acting on that freedom by giving up the congressional oversight that is necessary. I ask my colleagues to reject the present form of this bill. I beg the Senate to look more readily at a shorter extension and more transparency.

I rise in opposition to the FISA Amendments Act of 2008. I believe that although we had a chance to discuss this reauthorization in the Judiciary Committee, the full import of this bill is too broad and more debate and consideration is necessary. The fact is not lost on me that this is the 11th year following the attacks of 9–11.

I open my statement with a quote from one of my heroines, and a trailblazer on so many levels, Barbara Jordan, who said: "What the people want is very simple—they want an America as good as its promise."

Over the past year, Senate and House Democrats have worked with their Republican counterparts, the Administration, the intelligence community, and privacy advocates to

develop proposals for amendments to FISA that would give the intelligence community the flexibility it needs to safeguard our nation, while also providing strong protections for civil liberties. A proper balancing is America—as good as its promise.

And in-keeping with the notion of balance, I offered an amendment during the Judiciary Committee Markup of this legislation which simply asked for a report on the implementation of the amendments made by the FISA Amendments Act of 2008. My amendment simply requested that the report include an assessment of the impact of Section 702 of the FISA on the privacy of persons inside the United States. Even with court-approved targeting and minimization procedures in place, the government can and does intercept the communications of U.S. citizens.

It does so without a particularized warrant or a showing of probable cause. This approach to electronic surveillance raises concerns under the Fourth Amendment, which prohibits unreasonable searches, warrantless eavesdropping, and the use of ''general warrants.''

The Fourth Amendment to the U.S. Constitution provides a right ''of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures.'' Many of the government activities discussed in this report have the potential to constitute a search as that term is defined in Fourth Amendment jurisprudence.

Namely, government action constitutes a search when it intrudes upon a person's ''reasonable expectation of privacy,'' which requires both that an ''individual manifested a subjective expectation of privacy in the searched object'' and that ''society is willing to recognize that expectation as reasonable.''

The Fourth Amendment and its protections go back to our founding—the ability of the American Patriots to resist unwarranted searches and seizures by the British is inculcated in the American psyche.

Thus, the Fourth Amendment ultimately limits the government's ability to conduct a range of activities, such as physical searches of homes or offices and listening to phone conversations. As a general rule, the Fourth Amendment requires the government to demonstrate ''probable cause'' and obtain a warrant (unless a recognized warrant exception applies) before conducting a search.

This rule applies most clearly in criminal investigations. For example, an officer conducting a criminal investigation typically may not search a person's belongings without first obtaining a warrant that describes the property for which sufficient evidence justifies a search.

The extent to which the Fourth Amendment warrant requirement applies to the government's collection of information for intelligence gathering and other purposes unrelated to criminal investigations is unclear. Although the surveillance of wire or oral communications for criminal law enforcement purposes was held to be subject to the warrant requirement of the Fourth Amendment in 1967, neither the Supreme Court nor Congress sought to regulate the use of such surveillance for national security purposes at that time.

Several years later, the Supreme Court invalidated warrantless electronic surveillance of domestic organizations for national security purposes, but indicated that its conclusion might differ if the electronic surveillance targeted foreign powers or their agents. A lower court has since upheld the statutory scheme governing the gathering of foreign intelligence information against a Fourth Amendment challenge, despite an assumption that orders issued pursuant to the statute might not constitute ''warrants'' for Fourth Amendment purposes.

The Supreme Court has not yet directly addressed the issue. However, even if the warrant requirement was found not to apply to searches for foreign intelligence or national security purposes, such searches would presumably be subject to the general Fourth Amendment ''reasonableness'' test.

In the context of national security, the contours of the Fourth Amendment are necessarily narrowed but not abandoned altogether. The march toward a Big Brother State begins when the people's rights to privacy and to be free from surveillance are surrendered in toto. All we have to do is look at the recent Jones decision which concerned a purely domestic case in which law enforcement took advantage of high-tech tools to follow a suspected drug dealer. A conservative Roberts Court voted 9–0 to invalidate this search.

It is rare for liberal Democrats and conservative Republicans to agree on much of anything these days, but I am sure that many of my colleagues on the other side would find untargeted procedures under FISA unlawful and thereby unconstitutional. Homeland security is not a Democratic or a Republican issue, it is not a House or Senate issue; it is an issue for all Americans—all of us need to be secure in our homes, secure in our thoughts, and secure in our communications.

It is widely known that the Obama Administration would like a clean, five year reauthorization of the FISA Amendments Act, consistent with the approach taken by the Senate Select Committee on Intelligence this spring. I would also note that there were two voices of dissent in the Senate committee's proceedings, Senators WYDEN and UDALL who have been champions of national security, privacy, and civil liberties—which are not mutually exclusive.

The FISA Amendments Act of 2008 was designed to provide critically important authority for the U.S. Intelligence Community to acquire foreign intelligence information by targeting foreign persons reasonably believed to be outside of the United States. However, our experts now tell us that there are serious issues with targeting procedures, disclosure of basic information and there is a lack of strong rules on how the information gathered can be used.

''Reverse targeting,'' a concept well known to members of this Committee but not so well understood by those less steeped in the arcana of electronic surveillance, is the practice where the government targets foreigners without a warrant while its actual purpose is to collect information on certain U.S. persons.

One of the major concerns that libertarians and classical conservatives, as well as progressives and civil liberties organizations, had with the ill-conceived and now expired Protect America Act of 2007, was that the understandable temptation of national security agencies to engage in reverse targeting is difficult to resist in the absence of strong safeguards to prevent such unauthorized and blanket snooping.

Although Section 1881 of the FISA Amendments Act statutorily forbids such reverse targeting, it is a lingering concern of many civil libertarians which I share.

No doubt there are instances where it may be necessary to target persons within and outside the United States in order to address threats but Congress has made it clear that these exigencies must be subject to review at some point and time.

On the issue of targeting procedures, they were designed to ensure that only people reasonably believed to be outside of the U.S. would be targeted. However, in reality quite the contrary has taken place. There has been bulk collection of information without any targets whatsoever. Ensure transparency by conducting as much public oversight as possible, including releasing basic information about the program, such as the type of information collected and how many Americans and people in the U.S. it has affected.

It is also critical that Foreign Intelligence Surveillance Court opinions and administration interpretations of its authority to collect and use information under the FISA Amendment Act (FAA) become part of the public record and congressional debate.

On the issue of disclosure, there has been a lack of transparency on what type of information is being gathered, who is being picked up and what rights of Americans have been violated.

We must strike a balance between what constitutes ''classified'' information, and other compelling facts, disclosure of which do not threaten national security.

On the issue of rules, there has been a lack of rules that clearly define how the information is being used. The key is to amend the FISA Amendment Act to ensure that information collected under those programs can be used only in the narrowest of circumstances. The FAA's minimization procedures should be amended to ensure that this foreign intelligence warrantless surveillance program doesn't allow information to be repurposed for other government uses.

I understand that there must be a way for the intelligence community to gather vast amounts of information in a manner that makes sense. However, after carefully reviewing these proposals but suffice to say, I am still disturbed about certain aspects of the FISA Amendments of 2008. This Act was not designed for an overreach of power. It was designed to for the intelligence community to conduct meaningful information overseas.

Nearly two centuries ago, Alexis DeTocqueville, who remains the most astute student of American democracy, observed that the reason democracies invariably prevail in any martial conflict is because democracy is the governmental form that best rewards and encourages those traits that are indispensable to martial success: initiative, innovation, resourcefulness, and courage.

Thus, the way forward to victory in the War on Terror is for this country to redouble its commitment to the Bill of Rights and the democratic values which every American will risk his or her life to defend. It is only by preserving our attachment to these cherished values that America will remain forever the home of the free, the land of the brave, and the country we love. It is not easy for me or any Member of this House to go against the President's wishes on a matter of national security but I am convinced that more debate is necessary, and more consideration of what the FISA Amendments mean to national security and civil liberties.

We are in the throes of a national election for which the candidates have labored for over two years and the American people have seen, for better or worse, what they are about. Why so long: because that is Democracy. And civil liberties, Mr. Speaker, are the essence of the stew of our American Democracy.

I hope that Congress can maintain our oversight function to ensure that law enforcement is well aware of their limitations of surveillance balanced by a strong commitment to protecting this great nation from future harm, and limiting the reauthorization to 2015.

Mr. SMITH of Texas. Mr. Speaker, I yield 4 minutes to the gentleman from South Carolina (Mr. GOWDY), who is a particularly active member of the Judiciary Committee.

Mr. GOWDY. Mr. Chairman, I want to thank you for your leadership on this and a host of other issues on the Judiciary Committee.

Mr. Speaker, this week has provided tragic reminders that the world is a dangerous place. We are targets even from people we have helped in the past—with lethal consequences because we represent freedom, liberty and tolerance even among those with whom we disagree.

Each of us is asked when we go back home to our districts, Can Congress agree on anything? Is there anything that rises above politics anymore? Many of us would like to answer yes. We'd like to tell the people we work for that, yes, on issues of national security and protecting this country, yes, we can come together. We are capable of putting down talking points and red herrings and straw arguments and of picking up something called responsibility.

To say that this reauthorization has bipartisan support is an understatement. This bill passed unanimously in the House Intelligence Committee. For those in shock back home, Mr. Speaker, I'm going to repeat that: this bill passed unanimously. All Democrats, all Republicans on the House Intelligence Committee with access to the most information, not a single ''no'' vote.

President Bush supported this. Mr. Obama supports this. National security experts support this. Law enforcement officials support it. Our colleagues who served in the FBI and those who are Federal prosecutors and in the military support it. The Democrat-led House passed this bill in 2008 with former Speaker PELOSI giving a glowing speech extolling the virtues of the underlying bill and excoriating her colleagues about the necessity of passing.

All of this happened, Mr. Speaker, because intelligence is the lifeblood of our ability to defend ourselves. It happened because this bill has nothing to do with Americans on American soil. It passed because this provides protections for Americans who are traveling abroad. It passed because there is ample oversight. It passed because it has the needed checks and balances between the legislative branch and the executive branch and the judicial branch.

So why the opposition? How can you explain supporting something when Ms. PELOSI had the gavel, but you can't support it when Mr. BOEHNER has the gavel?

What I want to do, Mr. Speaker, just for today is: let's put down the red herrings, and let's put down the straw arguments and the misrepresentations. This bill doesn't implicate the Bill of Rights anymore than it implicates any other part of our Constitution—unless you think that foreign nationals who are on foreign land fall within the protections of the United States Constitution, and that is an absurd argument.

□ 1550

Foreign nationals in foreign lands, do they have the right to vote? Do they assert states' rights under the 10th Amendment? Can they claim cruel and unusual punishment? Go to Iran. If you're an Iranian, you go to Iran and assert your Fifth Amendment right to Miranda or your Sixth Amendment right to counsel and see what happens. Yet we're to believe that the Fourth Amendment applies to the entire world? It's absurd.

Mr. Speaker, I'm almost out of time, but I do want to say from the bottom of my heart—what's left of it after having been a prosecutor for 16 years—I want to say this.

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

Mr. SMITH of Texas. Mr. Speaker, I yield an additional 1 minute to the gentleman.

Mr. GOWDY. I believe you were with us, Mr. Speaker. I believe all of our colleagues were with us on the steps of the Capitol. We came together to remember 9/11 and what we lost and what we still grieve for as a Nation, Mr. Speaker, what we found as a Nation in the aftermath of 9/11. Republicans stood with Democrats on this, the steps of the people's House, and conservatives stood with progressives and moderates, and libertarians beside us. We were just Americans. That was enough on Tuesday. We were united. We were just Americans.

Even for just one fleeting moment, in our desire to honor, protect, and defend, if we can come together, Mr. Speaker, to remember 9/11, surely we can come together to prevent another one.

I ask my colleagues to support this bill.

Mr. CONYERS. Mr. Speaker, no one respects the gentleman from South Carolina more than I do, but I should advise him that it is incorrect to say that members of the Intelligence Committee didn't support my amendment to shorten the sunset period. I have the names of two of them in front of me right now. I also would advise him that the authority unquestionably affects United States persons, citizens on American soil, that their communications are regularly intercepted, and that would, I think, allow him to join in with some of the rationale for the resistance to this measure as it appears right now.

It's in that spirit that I point out to him that, with the lack of transparency and no oversight, the length of the measure is too long, and that this is being brought up under a closed rule was part of our objections. I think they're in good faith.

Mr. Speaker, I now yield 2 minutes to a distinguished member of the Judiciary Committee, the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Thank you, Mr. Ranking Member.

Mr. Speaker, I rise in opposition to H.R. 5949, which, without benefit of one oversight hearing by the full Judiciary Committee during the 112th Congress, wants to, for 5 long years, reauthorize expiring provisions of the Foreign Intelligence Surveillance Act without important modifications that are necessary to safeguard the civil liberties and the privacy rights of American citizens.

Although H.R. 5949 is designed to defend the United States against international terrorism and other threats, it has been reported that FISA has resulted in the illegal surveillance of untold numbers of American citizens through data accumulation, also known as overcollection of voice and data communications. Overcollection occurs when the voice and data of American citizens is collected incidentally to the collection of communications of foreigners.

What happens to the data and voice communications of Americans that is incidentally collected without a warrant? What happens to it? What happens to the private voice and data of Americans when it's minimized? These are critical questions, and they deserve critical answers. But as I've said, we've not had one oversight hearing in the full Judiciary Committee on this issue. We've just simply had a markup of this reauthorization bill.

These, and other questions, deserve answers. The Fourth Amendment would ordinarily protect the communications of American citizens. It prohibits unreasonable and warrantless searches and seizures of the communications of American citizens, including warrantless eavesdropping and snooping. But under H.R. 5949, no warrant or showing of probable cause exists where information is overcollected.

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

Mr. CONYERS. I yield an additional 30 seconds to the gentleman from Georgia.

Mr. JOHNSON of Georgia. In 2009, The New York Times described the practice of overcollection as significant and systemic.

Any counterterrorism measure must have a solid constitutional footing and respect the privacy and the civil liberties of American citizens. For that reason, I urge my colleagues to vote against this 5-year reauthorization.

Mr. SMITH of Texas. Mr. Speaker, we're prepared to close on this side, so I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I'm pleased to yield 3 minutes to my good friend from Ohio, DENNIS KUCINICH.

Mr. KUCINICH. Thank you very much, Mr. CONYERS.

To my friends on the other side of the aisle who have expressed passion about passing this, you're good Americans, and I respect your position. I respectfully disagree.

We have to defend our country from attacks on the outside. I voted, along with other Members of this Congress, right after 9/11, for the United States to defend itself. But it's equally important that we not lose our freedoms and our constitutional protections while we're engaged in that defense. We take an oath not only to defend the Constitution, but we have to keep in mind that that oath and that Constitution is really part of America's first line of defense.

Think of what it's like to make a phone call, any one of us right now. We make a phone call—even from this Capitol—to call a friend overseas, start talking about matters relating to what's happening in America, what's happening in the world. The way this law is written, without changes, those phone calls could be intercepted. They cannot only be intercepted, but they can be downloaded, transcribed, and stored for future use by the government. I have a problem with that. It's a great concern. What happens is that everyone then becomes suspect when Big Brother is listening.

I don't think that government should have the right to listen in to people's phone calls unless there's a warrant. You have to have probable cause. That's what the Fourth Amendment is about. This bill doesn't have those protections. It extends government's authority to conduct surveillance of persons reasonably believed to be outside the United States for 5 years, and there is a blanket extension, which is an abdication of Congress' constitutional obligation to protect and defend the Constitution and to protect the civil liberties of all Americans.

Given the information we know about our government's past abuse of surveillance authorities, if we pass this bill without any changes to ensure adequate congressional oversight and transparency, we're losing an opportunity.

Since the amended FISA Act passed in 2008, the government has released very little information on how it uses the powers granted under this act. As the Electronic Frontier Foundation recently pointed out, nobody in the government is willing to answer questions about how many Americans' phone calls or emails have been or are being collected and read without a warrant under the authority of the FISA Amendments Act. So Big Brother is not accountable. Even more disturbing is that it's well known that the government has violated the FISA Amendments Act, despite the broad surveillance authorities it provides the government.

A freedom of information request by the ACLU revealed that violations of the FISA Amendments Act and the Constitution continue to occur on a regular basis, until at least March 2010.

□ 1600

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

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

Mr. KUCINICH. According to the ACLU, the law is written so broadly that a phone call by a U.S. citizen to a U.S. citizen overseas discussing general foreign affairs could be listened in on. Section 702 of this act allows the government to intercept the communication of any U.S. citizen absent probable cause, in subversion of their Fourth Amendment rights. So Big Brother is listening.

There's no doubt that Congress is abdicating its responsibility when it passes a blanket extension of this bill without knowing how many Americans have been affected by FISA or the government's interpretation of the law. Without vital civil liberties safeguards and a minimum of transparency, an extension should be rejected.

Big Brother is not accountable. Let's vote against Big Brother. Let's vote to protect the Fourth Amendment.

THE CONSTITUTION PROJECT

REPORT ON THE FISA AMENDMENTS ACT OF 2008

Accordingly, we, the undersigned members of The Constitution Project's Liberty and Security Committee, recommend:

I. Increased Judicial Review of Surveillance Authorizations: The FAA should be amended to require more robust judicial review by the FISC to authorize programmatic surveillance and ensure that it is appropriately focused on foreign intelligence. Specifically:

(a.) Congress should restore the requirement that foreign intelligence be the primary purpose of the programmatic surveillance.

(b.) When seeking approval for programmatic surveillance, the government should be required to (1) explain the foreign intelligence purpose of the proposed surveillance, (2) define the scope of planned interceptions, and (3) provide a risk assessment and an estimate of reasonably anticipated interceptions of the communications of U.S. persons and individuals located within the United States. The surveillance should only be permitted after the FISC has thoroughly evaluated these submissions to ensure that surveillance is appropriately designed to acquire foreign intelligence information from legitimate targets without interfering with the privacy rights of U.S. persons and individuals located within the United States.

(c.) Additionally, the government should be required to develop and submit to the FISC procedures for determining when an acquisition may be expected to collect communications to or from the United States. Then, in cases where the planned surveillance may reasonably be expected to intercept communications to or from a person reasonably believed to be in the United States, the government should be required to obtain a FISA warrant under pre-FAA standards.

2. Inclusion of Warrant Requirements and Other Safeguards for Post-Collection Use of Information: The FAA should be amended to require that the government obtain a warrant from the FISC before searching collected communications for information on a specific U.S. person, decrypting the identity of a specific U.S. person party to a conversation, or reviewing communications reasonably believed to be to or from the United States. As required under the pre-FAA version of FISA, the warrant should be based upon a showing of probable cause to believe that the target is an agent of a foreign power or has committed a crime, and that evidence of the crime will be found and must name its target(s) with particularity. Moreover, Congress should ensure that collected information is being properly used for foreign intelligence purposes, including at the very least a requirement that authorities obtain a warrant before using data for law enforcement purposes. Finally, Congress should amend the FAA to require more stringent procedures for minimization, including periodic, ongoing FISC review of the implementation and efficacy of such procedures.

3. Increased Reporting and Oversight: More information about the intelligence community's use of the FAA should be provided to Congress and the public. Before reauthorizing the FAA, Congress should demand and review detailed information regarding the operation of the FAA surveillance program to date, including the extent and scope of interceptions of the communications of U.S. persons and individuals located within the United States. Further, the Inspector General of the Intelligence Community should be required to audit these surveillance programs and issue annual reports to Congress regarding how government surveillance has been conducted. In particular, these reports should include: statistics regarding how many U.S. persons' communications have been intercepted by the government; aggregate statistics on the number of intercepted communications in total, and the number of intercepted communications to or from the United States or involving any U.S. person; an analysis of the performance of the government's targeting and minimization procedures; and an explanation of how collected information has been used, including the number of times the information has been used for law enforcement rather than foreign intelligence purposes. These reports should also be provided in an unclassified form released to the public. Additionally, as much as practicable, more information on the FAA should be released to the public, including important decisions by the FISC and Foreign Intelligence Surveillance Court of Review, redacted as necessary.

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

Mr. Speaker, the bill before us today extends the expiration date of the FISA Amendments Act of 2008 from December 31, 2012 to December 31, 2017. I oppose this unwarranted long term extension because neither Congress nor the public yet have an adequate understanding of the impact this law has had on the privacy of American citizens.

The heart of the FISA Amendments Act is section 702, which authorizes the government to intercept the communications of people who are reasonably believed to be foreign persons outside of the U.S. On its face, the statute includes protections for American citizens who may be on the other end of these communications.

But section 702 does not require the government to obtain a warrant—and without more information about how the executive

branch uses this authority, we cannot confirm that the privacy of U.S. citizens is adequately protected.

These concerns are more than theoretical. In 2009, the New York Times reported that the NSA had engaged in the ''overcollection'' of American communications in situations not permitted by law. The government assures us that this problem was an accident and has been corrected—but the report does not inspire confidence in the safeguards we have put in place.

More recently, in a July 26, 2011, letter to Senators RON WYDEN (D–OR) and MARK UDALL (D–CO), the Office of the Director of National Intelligence stated that it is ''not reasonably possible'' to determine how many U.S. persons have had their communications intercepted under this law. Even if it is difficult to state an exact figure, it is hard to believe that the Director of National Intelligence cannot even guess. The Inspector General of the Intelligence Community didn't fare any better, and simply deferred to the non-answer provided earlier by the ODNI.

The public deserves better—and it is our responsibility to demand more information in the public record if the government will not provide it.

My colleagues prepared a series of amendments that would have addressed many of these basic oversight needs—without any risk to national security or the integrity of the underlying programs—but under this closed rule, we are not permitted to even debate these moderate changes to the bill on the floor. What is so dangerous about increased oversight that we cannot even debate an amendment?

If we require the government to provide us with unclassified reports, public summaries of key FISA court opinions, and an honest accounting of the number of Americans who have been affected by these programs, we will have gone a long way towards the responsible exercise of our oversight role.

And even if we cannot support these modest changes, we ought to amend this bill to provide for a shorter sunset. Meaningful oversight means revisiting these authorities before the winter of 2017. We cannot allow an entire presidential administration to pass before we discuss these authorities again—in the 115th Congress.

My amendment would have had the added benefit of linking this sunset to the three expiring provisions created by the USA PATRIOT Act. It would be to our benefit to consider the most controversial aspects of FISA all at once, instead of piecemeal over the course of the next decade. But under this closed process on the floor today, the House has been denied the opportunity to even consider this moderate change to the bill.

In conclusion, the government can and must do a better job of responding to our questions about privacy and other civil liberties. It can do so without risk to national security.

I have no doubt that these expiring authorities are important to the executive branch, but we should not let this opportunity pass without demanding reasonable, meaningful, and public oversight of a highly controversial law.

I urge my colleagues to vote ''no'' on H.R. 5949.

I yield the balance of my time to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I thank Ranking Member CONYERS for his courtesy.

For over a decade, I have deeply been concerned about the potential overreach of wiretapping legislation and efforts at the NSA. I have voted repeatedly in the past against unreasonable expansion of any administration's ability to intrude in the lives of unknowing and innocent Americans, and I will do so again today.

I remain confident that the dedicated members of the intelligence community do not need to erode the rights of Americans in order to protect them. Any apparent gains in security that may be achieved are modest and more than outweighed by longer-term potential loss of civil liberties and oversight, the sense of security that each American deserves. I'm troubled by the implications for our Fourth Amendment rights, the absence of meaningful court review, and the risk to American liberties that stem from the FISA Amendments Act.

Frankly I see no reason to rush into voting on a bill so deficient. The American people would be better served if we continued the debate and the examination, had thorough answers from NSA, and took up reauthorization based on a more complete review and process.

In fact, I think as we stand here today on the floor, not even the NSA knows the extent to which the FISA Amendment Act may potentially have been abused. The right approach would be refining this bill and more broadly taking a closer look at what over the last decade has become an intelligence community that is, frankly, some feel, growing out of control.

It's been over 11 years since 9/11. We ought to be able to get this right. We shouldn't be rushed into doing something that has significant long-term implications for every American.

You know, take a deep breath and take a step back. There are over 4.2 million Americans who hold a security clearance. That's more than the entire State of Oregon's population, and let's throw in the city of Seattle for good measure. Almost half of them hold Top Secret security clearances, more than people who reside in Maine or Idaho. When you've got those millions of people, you have an entity that is cumbersome, potential for abuse, and, frankly, potential to be infiltrated or have mistakes.

Think about it: 9/11 occurred in part not because we didn't have information. Remember the memo on Bush's desk warning of a potential attack from bin Laden?

What we are doing at the same time we are eroding American rights? We're piling on more and more and more information, and it's going to be extraordinarily difficult to sort through. We risk putting Americans in trouble.

The SPEAKER pro tempore (Mr. REED). The time of the gentleman has expired.

Mr. SMITH of Texas. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the vote we cast on the FISA Amendments Act tonight will be one of the most important votes we cast in Congress, and it is appropriate we do so during the week of 9/11.

The FISA Amendments Act will continue to allow us to conduct surveillance of terrorists, spies and others who would do us harm. A FISA court order is required if the target is a U.S. citizen, but not if the individual is outside of the United States and not a U.S. citizen.

The FISA Amendments Act was first passed in 2008 overwhelmingly, and it expires at the end of December. This bill extends the law for 5 years. The FISA Amendments Act is a top priority of the intelligence community. It was supported by the Bush administration in 2008 and is strongly endorsed by the Obama administration now. This is a bipartisan bill that enables us to vote to both neutralize threats to our national security and protect the civil liberties of American citizens.

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

Mr. ROGERS of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5949, which would reauthorize the FISA, the Foreign Intelligence Surveillance Act Amendments Act of 2008, or FAA, as we refer to it, for 5 years.

The FAA is currently set to expire at the end of the year. If that happens, the government will lose a critical tool for protecting Americans against foreign threats, including terrorists, and, as a result, will lose significant intelligence on these foreign targets. I want to emphasize, Mr. Speaker, foreign targets.

We were all reminded yesterday, while looking back on the horrible events of 9/11, of the threat that we face from those seeking to do us harm. Let me reassure you that even though we have been able to disrupt numerous plots over the years, our enemies want to do just as much harm today as they did then, and they just want to do it as badly as they did even 11 years ago.

The original FAA that is being reauthorized was sponsored by Representative REYES in 2008, my Democrat predecessor, as chairman of the Intelligence Committee. It also reflected the work of then leader, Mr. HOYER, to help develop the final product under the previous majority. I have been pleased to work in a collegial, bipartisan manner with my ranking member, Mr. RUPPERSBERGER, on this clean reauthorization bill as well. In fact, the Intelligence Committee reported this bill out unanimously, which doesn't happen all that much around this place.

The administration has also indicated to us that reauthorizing the FAA is its highest national security legislation priority, and on Tuesday issued a statement strongly supporting this bill. I hope we can all recognize this is

an issue that is being driven by our national security needs and not by politics.

A few key points on the FAA. First, if we let this authority expire, we will lose a critical intelligence collection tool against foreigners on foreign soil.

□ 1610

If that happens, we lose information on the plans and identities of terrorists, information about the functioning of terrorist groups like al Qaeda and others, information on the intentions and capabilities of weapons proliferators, information on potential cyberthreats to the United States and other critical intelligence about foreign adversaries that threaten the United States of America.

Second, it is important to remember that this authority is focused on allowing the government to conduct intelligence collection targeting foreigners located outside of the United States—I'm going to say that again, Mr. Speaker, targeting foreigners located outside of the United States—and not on Americans located in the United States or anywhere else in the world.

Third, the FAA is subject to a robust oversight structure, including Congress, and I can assure you that the Intelligence Committee takes this responsibility extremely seriously. We have had numerous hearings, Member briefings, and staff briefings since the passage of FAA in 2008. Before the government can collect any intelligence under the FISA Amendments Act, a Federal judge must approve the government's surveillance process, including the targeting and minimization procedures required under the law.

One final point, in addition to the primary authority in FAA to target foreigners located abroad, it actually enhanced the civil liberties protections for Americans by requiring a court order to target an American for collection outside of the United States. Before 2008, the government only needed the Attorney General for approval. If this law expires, so do these enhanced civil liberties protections.

Mr. Speaker, contrary to what some may say, FAA is not about domestic surveillance and it does not authorize a sweeping dragnet of collecting on American communications. This is about foreigners on foreign soil. It is about giving our intelligence professionals the tools they need to quickly and effectively intercept the communications of those outside the United States who seek to do us harm.

Let's not forget the nature of the threat that, almost 11 years ago to the day, took so many lives in such a horrific way. And the examples that we see just yesterday of the ongoing target of U.S. civilians, if they're in the United States or they're in places like Libya, continues to be a threat to the personal safety of those we ask to stand in harm's way and protect and promote the values of the United States.

This is a critical piece of legislation supported by both parties and the President of the United States. Mr. Speaker, I would urge all of our colleagues here to stand united in the defense of the United States and support H.R. 5949.

I reserve the balance of my time.

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

I rise today in favor of the FISA Amendments Act, which is due to expire at the end of this year.

When Chairman ROGERS and I took over the leadership of the House Permanent Select Committee on Intelligence, we made a commitment to work together to ensure the intelligence community has the authorities it needs to effectively protect our country while also protecting the privacy of Americans. I believe we must reauthorize this critical piece of legislation to keep America and her citizens safe. The FISA Amendments Act allows the government to gain important intelligence about terrorists, cyberthreats, weapons of mass destruction, and nuclear weapons that threaten Americans and U.S. interests.

There is a misconception out there that this act permits the surveillance of Americans without a court order. The bill prohibits the targeting of American citizens without a court order, no matter where they're located in the world.

The FISA Amendments Act gives the U.S. Government the authority to collect intelligence information about foreigners located outside of the United States. The FISA Amendments Act is subject to aggressive oversight by Congress and the executive branch.

There was an issue in the hearing before the Judiciary Committee about the issue of oversight. In this Congress alone, the House Intelligence Committee has held multiple hearings, briefings, and more than a dozen meetings concerning FISA. In addition, every 60 days the Department of Justice and the Director of National Intelligence conduct detailed onsite reviews to ensure compliance with the provisions of the act.

This is a bipartisan bill that passed out of the House Intelligence Committee by a unanimous vote of 17–0. I understand some Democrats would like a 3-year extension of the FISA Amendments Act, some Republicans requested a 9-year extension. The administration asked for a 5-year extension to take Presidential-year politics out of the process while providing consistency to the intelligence community. I support the President's request for a 5-year extension.

Without reauthorization, this critical tool would be lost, putting our Nation at severe risk. We would not be able to obtain the foreign intelligence necessary to prevent terrorist plots and financial support. I believe the act is critical to protecting our Nation while protecting our Americans' constitutional rights and privacy. I urge my colleagues to support this measure.

I reserve the balance of my time.

Mr. ROGERS of Michigan. I yield 2 minutes to a friend of mine, the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. I thank the chairman for yielding time to me.

Mr. Speaker, I'm one of those Democrats that the ranking member talked about that would prefer a 3-year extension of this measure, but I'm going to vote for H.R. 5949, the FISA Amendments Act Reauthorization Act of 2012, also known as the FAA. I support this legislation because it protects our security, preserves our freedom, and has proven to respect our civil liberties in the process.

In 2008, many of us were rightly concerned about this program being created and used as a back door for collecting information on law-abiding Americans. I voted against the FAA in 2008, in part because of these civil liberty concerns. However, as a member of the House Intelligence Committee, I believe the abuses that we feared have just not materialized.

But let me be clear, and this and future administrations are being given fair warning. My colleagues and I on the House Intelligence Committee will continue to receive reports on FISA information collection. These reports must continue to be detailed and specific. If there are any abuses or problems stemming from the application of this program, I'm certain that this Congress will move swiftly to correct them. So far, the application of the FAA has gained our trust, but we will continue to verify how the FAA is being used. Trust, but verify.

Mr. Speaker, the FAA provides the tools we need to collect vital counterterrorism information in foreign intelligence. I will vote in favor of H.R. 5949, the FISA Amendments Act.

Mr. ROGERS of Michigan. I reserve the balance of my time.

Mr. RUPPERSBERGER. Mr. Speaker, I yield 1 minute to the gentlelady from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I rise today in opposition to this FISA legislation. I do want to thank my ranking member for yielding to me, despite our difference of opinion.

As a member of the Intelligence Committee, I take the threat of terrorism very seriously, but I believe we are fully capable of protecting our security and safeguarding our precious civil liberties. This law authorizes the government to collect mass electronic communications coming into and going out of the United States so long as no U.S. person in the United States is intentionally targeted. Yet in April 2009, The New York Times reported that the National Security Agency ''intercepted private email messages and phone calls of Americans on a scale that went beyond the broad legal limits established by Congress.''

Shouldn't our government be required to disclose more about the extent and nature of the surveillance? Is this an authority that should be extended until 2017? Should we at least be able to consider an amendment to reexamine this law in 2013? But no amendments are allowed today.

I urge a ''no'' vote.

□ 1620

Mr. ROGERS of Michigan. Mr. Speaker, I yield myself such time as I might consume.

It's just important to remember that the due process protections of the United States are alive and well here. This is one of those programs that has an inordinate amount of oversight to make sure that we are not targeting Americans. Not only does the committee participate, but the Department of Justice has a separate review. There are strong internal reviews.

In the odd case where an American is intercepted, there are very strict procedures on how to destroy that information and correct that problem, and it has not happened, hardly frequently at all is the good news, which is why I think there is such bipartisan and strong support of our effort again to collect on foreigners who are outside of the United States, incredibly important.

I continue to reserve the balance of my time.

Mr. RUPPERSBERGER. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. I thank the gentleman for yielding, and I rise in support of the FISA Amendments Act Reauthorization Act.

This bill reauthorizes intelligence gathering capabilities that are essential to our national security while also protecting the civil liberties of Americans.

The recent events in Libya, Egypt, and elsewhere should serve to remind us all that there remain forces around the world that are determined to kill Americans, injure our interests, and jeopardize our freedoms.

The FAA allows us to obtain critical information about terrorist organizations, nuclear proliferation, and a host of other dangers. These authorities have produced intelligence that's vital to defending the Nation against international terrorism and other threats, which is why Attorney General Holder and DNI Clapper have called reauthorizing the FAA their top legislative priority.

This bill does not authorize spying on Americans. To the contrary, the 2008 FISA Amendments Act ensured that no American, whether within the United States or overseas, would come under surveillance without a court order and a finding of probable cause.

The authorities provided are narrowly tailored to the purpose of protecting the United States from those who would harm us, and I urge an ''aye'' vote.

Mr. ROGERS of Michigan. Mr. Speaker, I have no further speakers. I am going to continue to reserve and allow the gentleman from Maryland to close.

Mr. RUPPERSBERGER. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman from Maryland has 5 minutes remaining, and the gentleman from Michigan has 2 minutes remaining.

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

Mr. Speaker, there's been talk about the FISA Amendments Act as a backdoor collection on Americans and does not sufficiently protect civil liberties. This is not the case. We are all Americans. We are Members of Congress. We care about our country. We care about our Constitution, and we care about our privacy and our civil liberties.

Now, the FISA Amendments Act of 2008 actually expands the protections of Americans' civil liberties and privacy interests. Before the FISA Amendments Act in 2008, which became law then, the government needed only the Attorney General's authorization to target an American. Because of the FISA Amendments Act, if the government allows for surveillance of an American, that American must be overseas and the government must have a FISA court order if they do target an American anywhere in the world. The civil liberties of Americans are better protected than before this act became law in 2008.

Also, as far as oversight, and there have been allegations of not proper oversight. I understand the argument, and I don't disagree with the argument about sunsets. Sunsets are good because they hold us accountable. We can see if there are any abuses, and we can deal with them when we have sunsets.

However, the Department of Justice and the Director of National Intelligence file semi-annual reports with Congress as it relates to the FISA Act. These reports include information about compliance, targeting, and minimization on collections involving the parties that we're focused on.

The Intelligence Committee staff has conducted dozens of meetings about the authorities under the FISA amendments. These meetings have addressed compliance, procedures, authorities, and specific collection.

On the Intelligence Committee, we review, investigate, and debate the FISA Amendments Act. We maintain an ongoing dialogue with the intelligence community to ensure the law is being implemented in how it was intended.

We, as Americans, need to know more about the threats that are out there. Our threats for cyberattacks are occurring as we speak right now. It's very dangerous. These attacks can affect our national security, our grid systems, our banking systems, our air traffic control systems. This bill, this amendment, is part of our protection in dealing with those major issues.

I advise my colleague that I am ready to close, Mr. Speaker.

Mr. ROGERS of Michigan. I reserve with the right to close.

Mr. RUPPERSBERGER. Mr. Speaker, I yield, again, myself such time as I might consume.

The FISA Amendments Act is the result of decades of work to modify a law so we can adapt with changing technology and evolving national security threats. The bill demonstrates what Democrats and Republicans can do when we work together in a bipartisan way. It is uniquely important to put partisanship aside when America's national security is at stake.

We all have the same goal of keeping America safe from terrorist threats, whether on land or sea, in the air or with cyberspace. We also believe strongly, and this is very important, in the Constitution and the protections granted by our Founding Fathers.

The FISA Amendments Act is an important tool that has successfully prevented terrorist attacks on American soil. I know it is critical to our intelligence community.

I commend everyone who participated in this effort, especially the bipartisan leadership of Chairman ROGERS and the other members of the Intelligence Committee on both sides of the aisle. I support this straight reauthorization which President Obama, our Commander in Chief, has said is ''vital to protect our Nation.''

I will vote for the FISA Amendments Act Reauthorization Act of 2012, and I urge my colleagues to do the same.

I yield back the balance of my time.

Mr. ROGERS of Michigan. Mr. Speaker, I want to thank my ranking member, Mr. RUPPERSBERGER, for the fine bipartisan effort on this important national security issue.

I think the people at home can rest assured that we have taken every precaution to protect our civil liberties, which we all cherish in this Nation, and still have the ability to collect on foreigners overseas seeking to harm this great country, and I want to thank you for your work and commend the President for his letter of support of our bipartisan effort on this important national security issue.

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

Mr. DINGELL. Mr. Speaker, I rise in opposition to H.R. 5949, the FISA Amendments Reauthorization Act, FAA. Matters of national security are of the utmost importance and we should ensure that the government has the necessary tools to keep America safe. Yet, we must always balance this with protecting the civil liberties of American citizens. Unfortunately, this legislation before us today fails this important test.

I voted against this legislation when it was first passed in 2008 and I continue to have many of the same reservations and objections to the policies set forth by the FAA. I continue to be concerned that the Fourth Amendment rights of American citizens are not adequately protected by this legislation, which is of the utmost importance. Specifically, FAA makes an

end-run around the Foreign Intelligence Surveillance Court, FISC, by allowing the government to conduct surveillance without a FISC warrant. Such a broad exercise of power undermines our system of checks and balances and has grave implications for the protection of our constitutional rights. We should be enhancing the role of the FISC to ensure that the rights of American citizens are protected while the government collects intelligence to help defend our nation.

Additionally, the five-year extension provided by this legislation will ensure that regardless of which candidate wins the presidency on November 6, their administration will have these powers for the length of their term. A shorter extension would allow Congress to conduct the proper oversight over the use of these authorities and to better examine whether such authorities are still necessary to ensure the protection of our citizens.

Regardless of who is in the White House, it is the duty of this body to ensure that the power of the executive branch is not unfettered and that proper oversight is conducted. It is in this spirit that I cast my vote against this legislation today.

Mr. PAUL. Mr. Speaker, I rise in strong opposition to the reauthorization of the 2008 FISA Amendments Act, as it violates the Fourth Amendment of our Constitution. Supporters of this reauthorization claim that the United States will be more vulnerable if the government is not allowed to monitor citizens without a warrant. I would argue that we are more vulnerable if we do allow the government to monitor Americans without a warrant. Nothing makes us more vulnerable than allowing the Constitution to be violated.

Passage of this reauthorization will allow the government to listen in to our phone calls, read our personal correspondence, and monitor our activities without obtaining a warrant. Permission for surveillance obtained by a secret FISA court can cover broad categories of targets rather than specific individuals, as the Fourth Amendment requires. Americans who communicate with someone who is suspected of being affiliated with a target group can be monitored without a warrant. The only restriction is that Americans on U.S. soil are not to be the primary targets of the surveillance. That is hardly reassuring. U.S. intelligence agencies are not to target Americans on U.S. soil, but as we all know telephone conversations usually take place between two people. If on the other end of the international conversation is an American, his conversation is monitored, recorded, transcribed, and kept for future use.

According to press reports earlier this summer, the Director of National Intelligence admitted to the Senate that ''on at least one occasion'' U.S. intelligence collection agencies violated the Constitutional prohibitions on unlawful search and seizure. Without possibility for oversight of the process and with the absence of transparency, we will never know just how many Americans have been wiretapped without warrants.

Creating a big brother surveillance state here is no solution to threats that may exist from abroad. I urge my colleagues to reject these FISA amendments and return to the Constitution.

The SPEAKER pro tempore. All time for debate on the bill has expired.

Pursuant to House Resolution 773, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

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

RECESS

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

Accordingly (at 4 o'clock and 29 minutes p.m.), the House stood in recess.

□ 1644

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. REED) at 4 o'clock and 44 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order: H.R. 5949; and suspending the rules and passing H.R. 3857 and H.R. 5865.

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

FISA AMENDMENTS ACT REAUTHORIZATION ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on the passage of the bill (H.R. 5949) to extend the FISA Amendments Act of 2008 for five years, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

The vote was taken by electronic device, and there were—yeas 301, nays 118, not voting 10, as follows:

[Roll No. 569]

YEAS—301

Ackerman
Adams
Aderholt
Alexander
Altmire
Amodei
Austria
Baca
Bachmann
Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carnahan
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Cicilline
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Farenthold
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Hochul
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kaptur
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Ryan (OH)
Scalise
Schiff
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (FL)
Young (IN)

NAYS—118

Amash
Andrews
Baldwin
Bass (CA)
Becerra
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Capps
Capuano
Carney
Carson (IN)
Chu
Clarke (MI)

Clarke (NY)
Clay
Cleaver
Cohen
Conyers
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dingell
Doggett
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Filner
Frank (MA)
Fudge
Gibson
Grijalva
Hahn
Hastings (FL)
Hinchey
Holt
Honda
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Keating
Kildee
Kind
Kucinich
Larsen (WA)
Larson (CT)
Lee (CA)
Lewis (GA)
Lofgren, Zoe
Maloney
Markey
Matsui
McClintock
McCollum
McDermott
McGovern
Meeks
Michaud
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Pingree (ME)
Polis
Price (NC)
Rangel
Richardson
Roybal-Allard
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schrader
Scott (VA)
Serrano
Slaughter
Speier
Stark
Sutton
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey

NOT VOTING—10

Akin
Broun (GA)
Brown (FL)
Butterfield
Herger
Hirono
Jackson (IL)
Ryan (WI)
Towns
Young (AK)

□ 1712

Mrs. MALONEY, Messrs. WATT, HONDA, DINGELL, RANGEL, KILDEE and WAXMAN changed their vote from ''yea'' to ''nay.''

Messrs. CRAWFORD, CLYBURN, YARMUTH, CONNOLLY of Virginia, Ms. KAPTUR, Messrs. BARTLETT and CICILLINE changed their vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PUBLIC TRANSIT SECURITY AND LOCAL LAW ENFORCEMENT SUPPORT ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3857) to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to require the Secretary of Homeland Security to include as an eligible use the sustainment of specialized operational teams used by local law enforcement under the Transit Security Grant Program, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TURNER) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 355, nays 62, not voting 12, as follows:

[Roll No. 570]

YEAS—355

Ackerman
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Buchanan
Bucshon
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Fattah
Filner
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett
Gerlach
Gibbs
Gibson
Gonzalez
Gosar
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Hultgren
Hunter
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kline
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Noem
Nugent
Nunes
Olson
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Polis
Pompeo
Posey
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, David
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stearns
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Visclosky
Walberg
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—62

Adams
Amash
Barton (TX)
Brady (TX)
Brooks
Buerkle
Burgess
Burton (IN)
Cassidy
Coble
Culberson
DesJarlais
Duncan (TN)
Farr
Flake
Fleming
Foxx
Gardner
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Graves (GA)
Griffith (VA)
Hensarling
Huizenga (MI)
Hurt
Jones
Jordan
Kingston
Kucinich
Labrador
Lamborn
Landry
Lofgren, Zoe
Long
Lummis
Marchant
McClintock
Miller (FL)
Miller, George
Mulvaney
Neugebauer
Nunnelee
Palazzo
Pearce
Pence
Petri
Poe (TX)
Price (GA)
Quayle
Ribble
Rooney
Ross (FL)
Scott, Austin
Sensenbrenner
Southerland
Stutzman
Walsh (IL)
Westmoreland
Woodall
Woolsey

NOT VOTING—12

Akin
Broun (GA)
Brown (FL)
Butterfield
Hartzler
Herger
Hirono
Jackson (IL)
Paul
Ryan (WI)
Towns
Velázquez

□ 1719

Mr. CLEAVER changed his vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMERICAN MANUFACTURING COMPETITIVENESS ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5865) to promote the growth and competitiveness of American manufacturing, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. BONO MACK) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 339, nays 77, not voting 13, as follows:

[Roll No. 571]

YEAS—339

Ackerman
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Buchanan
Bucshon
Buerkle
Calvert
Camp
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farr
Fattah
Filner
Fincher
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Foxx
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hanabusa
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pelosi
Pence
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Pompeo
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stearns
Stivers
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Visclosky
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Young (AK)
Young (FL)
Young (IN)

NAYS—77

Adams
Amash
Bishop (UT)
Brady (TX)
Brooks
Burgess
Burton (IN)
Campbell
Canseco
Carter
Cassidy
Conaway
Culberson
Duncan (SC)
Farenthold
Flake
Fleming
Flores
Franks (AZ)
Gardner
Garrett
Gohmert
Gowdy
Granger
Graves (GA)
Hall
Hanna
Heck
Hensarling
Huelskamp
Huizenga (MI)
Jenkins
Johnson (IL)
Jordan
Kingston
Kline
Labrador
Lamborn
Landry
Lankford
Long
Luetkemeyer
Lummis
Mack
Marchant
McClintock
Mica
Miller (FL)
Miller (MI)
Mulvaney
Neugebauer
Palazzo
Pearce
Petri
Pitts
Poe (TX)
Polis
Posey
Price (GA)
Quayle
Rohrabacher
Rooney
Ross (FL)
Scalise
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Smith (NE)
Southerland
Stutzman
Thornberry
Walberg
Webster
Wilson (SC)
Woodall
Yoder

NOT VOTING—13

Akin
Broun (GA)
Brown (FL)
Butterfield
Dicks
Herger
Hirono
Jackson (IL)
Paul
Ryan (WI)
Sullivan
Towns
Velázquez

□ 1727

Mr. CONAWAY changed his vote from ''yea'' to ''nay.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 117, CONTINUING APPROPRIATIONS RESOLUTION, 2013; AND PROVIDING FOR CONSIDERATION OF H.R. 6365, NATIONAL SECURITY AND JOB PROTECTION ACT

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 112–667) on the resolution (H. Res. 778) providing for consideration of the joint resolution (H.J. Res. 117) making continuing appropriations for fiscal year 2013, and for other purposes; and providing for consideration of the bill (H.R. 6365) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established by the Budget Control Act of 2011, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 6213, NO MORE SOLYNDRAS ACT, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 112–668) on the resolution (H. Res. 779) providing for consideration of the bill (H.R. 6213) to limit further taxpayer exposure from the loan guarantee program established under title XVII of the Energy Policy Act of 2005, and providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

COMMUNICATION FROM CONSTITUENT SERVICES REPRESENTATIVE, THE HONORABLE J. RANDY FORBES, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from CeJae Johnson, Constituent Services Representative, the Honorable J. RANDY FORBES, Member of Congress:

J. RANDY FORBES,
UNITED STATES CONGRESS,
4th District, VA, September 10, 2012.

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

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the Chesterfield, Virginia General District Court (Civil) for hearing testimony.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is not consistent with the privileges and rights of the House.

Sincerely,

CEJAE JOHNSON,
Constituent Services Representative,
Congressman J. Randy Forbes.

LANCE T. SHANER

(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, I rise today to recognize Lance T. Shaner of Centre County, Pennsylvania. This week, on September 13, 2012, Lance will be honored as the 2012 recipient of the Navy League of Central Pennsylvania's Lieutenant Michael P. Murphy Distinguished Citizen Award.

The Navy League of Central Pennsylvania is an organization dedicated to enhancing public awareness of the missions and challenges facing today's Armed Forces, as well as advocating for the well-being of the men and women who serve.

The Lieutenant Michael P. Murphy Distinguished Citizen Award is given to a nonactive duty person whose character, distinguished military or civilian service, and stature draw wholesome comparison to the qualities for

which the Navy League of Central Pennsylvania Council strives to promote.

Lance Shaner, chairman of the Shaner Group, is known throughout central Pennsylvania for his various community efforts, which include the Chamber of Business and Industry of Centre County, United Way, Centre Volunteers in Medicine, the Boy Scouts of America, the YMCA, Mount Nittany Medical Center, and many other programs that benefit our community.

I want to thank Lance Shaner for his service to our community, and I congratulate him on this distinguished award.

CORVALLIS WILL NOT BE BULLIED BY CHINA

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

Mr. DEFAZIO. Recently, the Chinese consul general sent a letter to the mayor of Corvallis, a small city in my district. The letter was followed up by personal visits by the vice consul and the deputy consul general. Now, we always welcome visitors, but under these circumstances, we have some concerns.

They are trying to pressure the mayor of the City of Corvallis to compel a local businessman to remove a mural dedicated to free Tibet and Taiwan independence from his downtown building. It was characterized by the local newspaper as a shakedown because the original letter broadly hinted that it might be in Corvallis' best interest economically to cooperate with the request.

I am shocked and appalled that apparently Chinese professional diplomats have failed to read the Constitution of the United States of America before traveling here to represent their country.

This represents the basis of our representative democracy, our freedom of speech, and our rights, and it will not be bullied by China or any other overseas interest.

HONORING CONGRESSMAN JERRY COSTELLO

The SPEAKER pro tempore (Mr. MCKINLEY). Under the Speaker's announced policy of January 5, 2011, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. LIPINSKI. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of my Special Order honoring Congressman JERRY COSTELLO's distinguished service in Congress.

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

There was no objection.

Mr. LIPINSKI. Mr. Speaker, I rise today to honor a great legislator and a close personal friend, Congressman JERRY COSTELLO, who will retire from the House of Representatives at the end of this 112th Congress.

JERRY has long been known as one of the most effective and well-liked Members of Congress since he took office in 1988. It is my honor to lead this Special Order in his honor.

I knew JERRY before I was elected to Congress in 2004. I had the privilege of working in his congressional office in the mid-1990s. Today, we serve together on two House committees: the Transportation and Infrastructure Committee, and the Science, Space, and Technology Committee.

JERRY has been an important mentor to me throughout my time here. I have always been impressed with his work on behalf of his constituents and his work to improve America's transportation network. He is someone who is here to get things done, and he knows how to do it.

His retirement from this body is a loss to us all. Congress will not be the same without JERRY, and I know we would all benefit if we had more colleagues like him.

There are a number of Members on both sides of the aisle who want to speak, so I will continue with the rest of my speech later if we have time. But right now, I want to recognize the gentleman from Oregon (Mr. DEFAZIO).

□ 1740

Mr. DEFAZIO. I thank the gentleman for yielding.

We could devote much more than an hour to JERRY COSTELLO's career in Congress.

I sat next to JERRY on the Transportation and Infrastructure Committee for more than two decades, and there is no more knowledgeable, dedicated advocate in the United States Congress—most recently on aviation issues, but across the board on infrastructure issues which underlie our economy and our productivity and our growth—than JERRY COSTELLO. His work has been phenomenal. He has done more than I could have imagined in his period of time. And we will miss him.

I congratulate him upon a well and hard-earned retirement.

Mr. LIPINSKI. I yield to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. I thank the gentleman for yielding.

I apologize to my good friends, but this has to be a two-way street—bipartisan—because I do believe that JERRY was an example of the Congress that I knew and loved where we worked together to solve problems. JERRY was very good at that. I, as chairman of the Transportation Committee, we worked through with Jim Oberstar, and we never had an adversarial vote in that whole period of time because he did believe in bipartisanship for the bills in transportation, not only in his district, but for the Nation as a whole.

JERRY was a gentleman at all times. Sometimes I get a little excited, and he would remind me as the chairman that maybe I could be a little more kinder. I told him that doesn't always work. That worked for JERRY. And I do respect his capability to not only serve in his district, but making sure that this Nation had a transportation system in place that would serve this whole Nation.

I look forward to JERRY's retirement—in a sense. I'm sure he'll do good and great things after this, but we will miss his time in Congress. And as a Republican, I definitely will miss him. I do thank JERRY.

Mr. LIPINSKI. I thank you, Mr. YOUNG.

I want to recognize now the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. I want to thank my friend from Illinois (Mr. LIPINSKI) for yielding to me.

When I think of JERRY COSTELLO, I think of the fact that those of us in Illinois sort of had two go-to members of the Transportation Committee for many years, Bill Lipinski, who is the Congressman's father, and JERRY COSTELLO. We used to call them the ''Gold Dust Twins.'' One of the reasons is because they had such a great relationship and worked cooperatively to make sure that our State, the State of Illinois, the home of Abraham Lincoln, was well taken care of in terms of infrastructure, but they also worked for the entire country.

I had an opportunity to travel with JERRY and his wonderful wife a number of times. Of course she is a delightful lady who is a higher education administrator, the president of a community college. And other members of their family are engaged in public service as well as what they do privately. I've never known a more congenial Member of this body or any other legislative body that I've served in than JERRY COSTELLO.

I think he's actually too young to retire, and so I've got a feeling that he's got some other things on his mind, some other things that he's going to do. I think he'll still be fishing down in the East St. Louis area, making sure that the catfish and the other creatures out there give up their habitat and become members of the land gentry.

So JERRY, take care of yourself. Have all the fun that you can, but I'm certain that there is something else that you're going to be doing.

Mr. LIPINSKI. Next, I want to recognize the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. I thank the gentleman from Illinois (Mr. LIPINSKI) for organizing this hour and concur with my colleagues that an hour is not nearly enough to highlight the virtues and certainly the public service of our distinguished colleague, JERRY COSTELLO.

JERRY, as has already been said, and his lovely wife, Georgia, their beautiful

family, we're all very happy and proud that he will be joined with them. In whatever endeavor he does, we know he will bring the kind of energy, the kind of commitment, and the kind of integrity that he's brought to the floor of the House.

Robert Remini, also from Illinois and a historian, has written a significant history about the House. In his book, he talks about the character of the people that serve here. I'm proud to say that I've had the opportunity to serve with someone who is so genuine, who cares so deeply about this institution, his home State of Illinois, and the people he has served with. He does it the old fashioned way, the Bill Lipinski way, with a handshake and a commitment and always looking you directly in the eye. As DON YOUNG from Alaska indicated, he also has the great capacity to reach across the aisle, understanding implicitly that things don't get done unless we're capable of working together. An incredible wise sense of humor, always sage advice, and an incredible understanding of politics, not only the local flavor of his great State of Illinois, but also the ebb and flow of business here on the floor of the House of Representatives.

He is honored by his colleagues and respected not only for his political acumen and his professionalism, but most of all because of the integrity that he brings to this floor each and every day. He will be sorely missed. It's an honor to have served with him. I look forward to a continued relationship with this great man from Illinois, JERRY COSTELLO.

Mr. LIPINSKI. Next, I want to recognize the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. Let me thank my friend from Illinois (Mr. LIPINSKI) for yielding.

Let me say, Mr. Speaker, that I rise today to honor my great friend and colleague, the distinguished senior Member from Illinois (Mr. COSTELLO). Let me also mention that Mr. COSTELLO served in previous Congresses with my father, so he was here when I got here. And our districts are just across the river from each other. He represents southern Illinois, and I represent the city of St. Louis, the Gateway to the West.

As he prepares to retire at the conclusion of the 112th Congress, Congressman COSTELLO has been a trusted friend and mentor to me for the last 12 years. When I first arrived as a freshman Member of Congress in 2001, Congressman COSTELLO was here to greet me and guide me along the right path, and over the years I have continued to rely on his good advice and wise counsel. His departure is a great loss for the State of Illinois, the citizens of the 12th District, and the St. Louis regional delegation.

For the last 24 years, Mr. COSTELLO has been a tireless advocate for southern Illinois and Metro East. He has been a champion for rebuilding and enhancing our transportation infrastructure. The magnificent new Mississippi River bridge that is currently under construction will be a powerful symbol of his legacy of leadership.

Congressman COSTELLO has also been the patron saint of Scott Air Force Base, the largest employer in southern Illinois. Our region, and indeed our Nation, are stronger because of his continuous efforts to preserve and expand this vital national defense asset.

□ 1750

Mr. Speaker, I consider it a great blessing to have had the opportunity to serve with Congressman COSTELLO and to call him my good friend. I honor him for his service to his State, the St. Louis region, and our Nation, and I salute him on a remarkable congressional career.

Mr. LIPINSKI. Thank you, Mr. CLAY.

Next I want to recognize the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. First, let me thank the gentleman, Mr. LIPINSKI, for organizing this opportunity to come to the floor today and recognize the remarkable achievements of our dear friend, my dear friend, Representative JERRY COSTELLO.

I want to thank JERRY, my friend and colleague, for his 24 years of remarkable, outstanding service to his district, to Illinois, and to the country. And although he's retiring at the end of this Congress, I know that his impact will be long-lasting.

Since arriving in Congress in 1999, I have been very fortunate to have JERRY COSTELLO to rely on for advice and guidance and support. And as you hear from one Member after another who gets up and says the same thing, you can see how JERRY COSTELLO has been a friend to so many on both sides of the aisle.

When I came, he and then-Representative Ray LaHood, now Secretary of Transportation, convened routine meetings of the Illinois House delegation to discuss how we could work together to meet the needs of our State. A fierce advocate for southwestern and southern Illinois, JERRY was eager to help all parts of the State to obtain Federal assistance and meet the needs of our constituents.

Our delegation may have had some disagreements on policy, but we were firmly united, under JERRY's leadership, in our desire to bring funding to Illinois to create jobs, improve access to health care, help farmers and promote Illinois businesses.

It wasn't until I was in Congress for a while longer that I realized that not every State delegation met in this manner. It was because of JERRY's leadership, his dedication to getting things done, and his ability to work in a bipartisan manner that the Illinois delegation could get together, not just to talk, but to achieve concrete results.

Throughout his career, JERRY has been a real workhorse. As senior member of the Transportation and Infrastructure Committee and ranking Democrat on the Aviation Subcommittee, he has shaped transportation policy and is responsible for unprecedented improvements in aviation safety. He is a recognized expert on transportation issues, and he is known for his commitment to protecting the interests of travelers, riders and passengers and the rights of transportation workers.

He has brought his policy interests to other areas as well, from his role on the Science, Space and Technology Committee, to his interests in agriculture, education and children.

JERRY COSTELLO is the go-to leader of the Illinois House delegation, and it is easy to see why. It is not just that he loves the State of Illinois and the House of Representatives. It is not just that he can put together strategies to pass legislation or bring Federal assistance to his district. It is his entire being, a calm but determined demeanor, a commonsense approach to problem-solving, and a welcoming attitude for his beloved constituents and his colleagues.

Throughout my time in Congress, JERRY has been generous in sharing with me his time and his talents, and for that I'm extremely grateful.

I have also been so happy to get to know JERRY's wonderful wife, Georgia. Georgia is the president of Southwestern Illinois College, an advocate for the Illinois Green Economy Network, and she also brings a spirit of public service to her work in improving the community.

My dear friend, JERRY, your record of accomplishments over the past 24 years is enormous. And while you may be retiring from the House of Representatives, I know that you and Georgia will continue to work to inspire and improve the lives of Illinoisans. I thank you for your friendship that I hope will endure and for all that you have done for our great State.

Mr. LIPINSKI. Thank you, Ms. SCHAKOWSKY, for your comments.

Next I want to recognize the gentlelady from Texas, who JERRY and I both serve on Transportation and Infrastructure and Science, Space and Technology with, and who's also the ranking member of the Science, Space and Technology Committee, Ms. EDDIE BERNICE JOHNSON.

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you very much, Mr. LIPINSKI, for reserving this hour.

And thank you, Mr. Speaker, for allowing me to speak in honor of a very cherished colleague and a dear friend in the U.S. House of Representatives.

Congressman JERRY COSTELLO, after 24 years of dedicated service, is retiring, and that is a very tall order for me to accept because I have served with him on both of his major committees from the time I came to Congress 20 years ago; and he appears to be, starting this term, a part of a vanishing breed of people who came here to work across the aisles.

When I think of JIMMY DUNCAN, when I think of Mr. YOUNG of Alaska, when I think of Ray LaHood, I think of the camaraderie that we have shared on the committees working together to get things done. And I look up and many of them are leaving. It's so unfortunate that we're losing such a stellar example of the commitment needed to be an effective public servant.

He began his public service at an early age, working in law enforcement while attending college. He has built his career on bipartisanship and dependability and has always kept the needs of his constituents and the American people foremost in his mind and close to his heart.

Congressman COSTELLO is a devoted family man who treasures his wife, Georgia, and their three children and eight grandchildren. And I have shared with Georgia and Lynn, JIMMY DUNCAN's wife, trips around the world where we became almost like family.

His companion has given the Congressman a unique perspective, making him much more effective as a Member of Congress.

I remember one time we went on a trip, and at the last minute, Georgia couldn't go and we ended up being seatmates all the way. And he said at the end, I enjoyed you being my seatmate, but you'll never be Georgia. And he was right.

I've had the distinct pleasure of working closely with Congressman COSTELLO on both the House Committees on Transportation and Infrastructure, and Science, Space and Technology. As a matter of fact, I would not be ranking member had he chosen to use his seniority to become the ranking member of Science, Space and Technology.

He's an effective legislator and has shown an unwavering commitment to furthering scientific research and building our Nation's infrastructure. Having served both as chairman and ranking member on the Aviation Subcommittee with Congressman PETRI from Wisconsin, just like two brothers, they have been guests in my district where we did work together on a very bipartisan basis to improve the safety and innovation of the aviation industry.

Mr. Speaker, the bonds that we form with our fellow colleagues in Congress are unlike anything else. You become closer in friendship, and you begin to see people as individuals. This last 2 years, however, has not been the example that I lived with 18 years before that.

Congressman COSTELLO and I developed, over the years, a very special relationship. The House of Representatives is losing a distinguished colleague and one of those from the old guard that we call the bipartisan focus on business people.

I have immense respect for Congressman COSTELLO, and I will miss him dearly. I wish him well, and I wish his family the best in future endeavors. And I do hope that this is not the last of a vanishing breed of the persons who came here to work to get things done and not be so partisan.

□ 1800

I really will miss the camaraderie that we shared with JIMMY DUNCAN, DON YOUNG, Ray LaHood—all the people who can see beyond partisanship.

Mr. LIPINSKI. Thank you, Ms. JOHNSON.

Next, I want to recognize the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. I thank the gentleman from Illinois.

I, too, rise to pay tribute to our great colleague, Congressman JERRY COSTELLO. We've spent a lot of time during this hour talking about what a great person JERRY COSTELLO is, which is certainly true. He is a kind and decent man. He operates in a bipartisan manner, and he is a friend to nearly everybody in this institution. We could continue to take the entire hour just talking about what a very fine person JERRY COSTELLO is. Yet, when you look at the legislative record over the decades of service that he has offered to his constituency and to the country, there are a few things that stand out.

On the Transportation Committee, JERRY COSTELLO has a long and lasting record of many achievements, but he also has a lot of things he has done back home that those of us in Washington maybe don't see every day. For example, when the Base Closing and Realignment Commission slated for closure a military base in JERRY's district, JERRY COSTELLO did what is nearly impossible—he got the realignment commission to review the facts; he had that decision overturned; and he saved that military base and the thousands of jobs that go with it for his district. That's a lasting achievement he can be proud of.

When you look at things on the Transportation Committee that have lasting significance, a changing in the law to benefit all Americans. There was a tragic, terrible catastrophe—an air disaster in Buffalo several years ago. JERRY COSTELLO took the lead in this Congress and in this country in changing the laws dealing with pilot fatigue and the requirements for the pilots on the planes. That is going to save lives around this country, and that is going to allow for the averting of this type of disaster in the future. That happened because of JERRY COSTELLO's leadership.

So, Mr. Speaker, when we think about the lasting contributions that JERRY COSTELLO has made, yes, many of them are personal. Many of them have to do with the relationships he has built and the friendships he will carry forward into his new career, but let's also remember the many significant legislative achievements for his district that are unparalleled to anyone else's in this institution.

So, JERRY, we wish you the best. We are going to miss you.

Mr. LIPINSKI. Thank you, Mr. ALTMIRE.

Next, I want to recognize the Democratic whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I want to thank my friend, Congressman LIPINSKI, for taking on this Special Order.

For someone who had been regaled, as I understand it, earlier, by his colleagues who know him best, before I came to the floor, this is a body in which you get to know people. You get to know their characters, their personalities, their civility, their effectiveness, their work ethic, their patriotism, their willingness to work with others. On all of those counts, all of his colleagues found JERRY COSTELLO to be one of the best among them.

JERRY COSTELLO came to this Congress in the election of 1988. He has been my colleague for all of the years that he has served in this House. I was privileged to come just a few years before JERRY COSTELLO. He was elected by the people of Illinois after an extraordinary career early in life, as a young man. He was not only attending to the court system of Illinois but also as the county executive, as the leader of one of the largest counties in Illinois. He was chosen because of his judgment, chosen because of his good sense, his common sense, chosen because of his effectiveness as a representative of the people. There has not been a day that has gone by that I have served with JERRY COSTELLO that I did not have all of those affirmations affirmed here in this House. So I rise with my friend, Mr. LIPINSKI, to honor JERRY COSTELLO.

Now, we're going to have the opportunity to serve with JERRY COSTELLO for another 3 months at least. JERRY COSTELLO is very much alive. This is not a eulogy. JERRY COSTELLO is someone who is still a young man for whom I see a very bright future. In whatever endeavor he chooses to pursue, he will be successful; and with whomever he works, they will be advantaged. In whatever he does, I know that we're all going to stay in close touch with JERRY COSTELLO.

The preceding speaker and Mr. LIPINSKI—and whose dad before him—now serve on the Transportation and Infrastructure Committee. It is a critical committee of the Congress of the United States, one of the most important in terms of growing jobs and expanding our economy because it invests in the infrastructure, which is the underpinning of a growing economy. My friend Mr. LIPINSKI has fought so hard for legislation to expand manufacturing—a Make It In America agenda item—and has focused on making sure that we have had an infrastructure that has supported manufacturing, the distribution of goods and the transportation of goods to our shores to be sent abroad for purchase by our trading partners.

JERRY COSTELLO was part of the leadership of two of the major transportation bills that have passed this House

in recent years, ensuring not only that Illinois received particular attention but that America received particular attention, every part of this America. The best traditions of a Congressman are, yes, in representing his district effectively, but also in understanding that his responsibility is to all of America. JERRY COSTELLO has fulfilled that expectation with flying colors and great effectiveness. We are going to miss JERRY COSTELLO.

But I want to tell JERRY COSTELLO—and I hope he's listening—that we have a few days left to go, and I'm going to look forward to working with him. I am hopeful that, in the lame duck session, we'll address one of the most vexing problems confronting this country, and that is getting ourselves on a fiscally sustainable path. I expect JERRY COSTELLO to be in the leadership of that effort as he has been in the leadership of so many efforts.

Again, Congressman LIPINSKI, I want to thank you for your leadership, for your service, for your commitment to the same kinds of things that JERRY COSTELLO has been committed to in building up this country and in making sure that average working men and women have had jobs and that we have expanded our economy by investing in our economy. So it is appropriate that you lead this Special Order on behalf of a kindred soul, JERRY COSTELLO. You and he represent a real leadership on behalf of growth, jobs, and economic success in America.

We thank JERRY COSTELLO for his service, but we look forward to working with him in whatever capacity he chooses to follow in the years ahead.

Mr. LIPINSKI. Thank you very much, Mr. HOYER.

I just want to wrap up here and continue on in talking about JERRY.

I know JERRY has been extremely popular among his constituents because he is a lifelong resident of his district and always has been focused on helping them. He was born in East St. Louis, Illinois. He attended Assumption High School there, and later graduated from Southwestern Illinois College and Maryville University, which is just across the Mississippi River in St. Louis. After graduating with a bachelor's degree, JERRY worked in various positions in southwestern Illinois, culminating with his election to the House of Representatives in August of 1988 in a special election.

He was known then and is still known today as a person with a special ethic and earnestness to roll up his sleeves and get the job done. Since that time, his accomplishments have been numerous and outstanding. We've heard from many of our colleagues before this about some of his accomplishments. I could spend hours standing up here listing them all, but some of his most important, recent accomplishments include helping to pass four national highway investment bills, seven Federal Aviation Administration bills, and helping to secure funds for a new Mississippi bridge for the residents of Illinois and Missouri.

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He has a great reputation for delivering for his district. A couple of examples include helping prevent the closure of Scott Air Force Base, the largest employer in Illinois south of Springfield, and helping extend St. Louis' Metrolink to St. Clair County, providing public transportation to many thousands of people. He has received recognition as a leading advocate for farmers and for many other causes, including the arts and multiple sclerosis.

His dedication to an effective transportation network in the U.S. has remained steadfast throughout his career. As Mr. ALTMIRE has mentioned, a perfect example of this is his drafting and passing of the Pilot Training Improvement Act of 2009. In response to a tragic plane crash in 2009 in Buffalo, New York, that killed 51 due to lack of rest for the pilot, JERRY wrote a bill that made requirements for pilot rest and training much more stringent. This legislation has resulted in safer travel for millions of Americans. The legislation is a lasting reminder of the fine work JERRY has done while in Congress.

During his time, JERRY has sat in positions of leadership as chairman of the House Aviation Subcommittee on the Transportation and Infrastructure Committee, now serving as ranking member, as well as the ranking member on the Subcommittee on Space and Aeronautics within the Science and Technology Committee. He has always worked in a bipartisan manner on those committees, doing everything he could to make those committees work.

I, and this legislative body, will miss Mr. COSTELLO and the leadership he has provided, but we can all take comfort in knowing that he will be able to spend more time with his wife, Georgia, who serves her community as the president of Southwestern Illinois College; their three children, Jerry, Gina, and John Patrick; and their eight grandchildren, Jay, Austin, Rorey, Ireland, Jerry, Victoria, Georgia, and John Patrick. He will undoubtedly continue to serve his neighbors and all the residents of southwest Illinois in his day-to-day activities.

Please join me in honoring JERRY COSTELLO for his tireless hard work, dedication, and skill serving the people of America and Illinois. I congratulate JERRY and thank him for all he has done for his constituents and for his Nation. I thank you, JERRY, for your mentorship here in Congress, and I wish you the best as you retire from the House of Representatives.

I know, as other speakers before me have said, JERRY is much too young to retire. I'm sure there are many great things that he will be doing, and he will always be remembered as a great man who served his country and served his constituents of Illinois. We will certainly miss him here, and we can certainly use more JERRY COSTELLOs in this body.

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

Mr. SHULER. Mr. Speaker, I rise today to recognize Congressman COSTELLO on his pending retirement and thank him for his service to his country and district.

Serving in the House of Representatives since 1988, Congressman COSTELLO has become a key figure in this body, serving as the dean of the Illinois delegation and working across lines to find sensible solutions to the day's most pressing challenges. JERRY has proven himself to be a gentleman whose dedication and service to his constituents and to the United States of America went above and beyond the Halls of Congress.

I had the pleasure of serving alongside Congressman COSTELLO on the Transportation and Infrastructure Committee where I was proud to have called the Congressman not only my colleague, but my friend. I observed as he worked to build the transportation infrastructure in Southern Illinois and the country. Over the years, JERRY has built a reputation for not only his hard work, but also his ability to work with Members of the other party. It is these qualities—work ethic and bipartisan spirit—that will be missed most in Congress.

Mr. Speaker, I congratulate Congressman COSTELLO on his retirement. While his mark on the Nation and his district are permanent, his presence in this chamber will be missed.

Mr. ISRAEL. Mr. Speaker, I rise today to honor my friend Congressman JERRY COSTELLO, and to thank him for his 24 years of service in the House of Representatives working on behalf of the people of the 12th congressional district of Illinois.

JERRY has worked tirelessly during his time in Congress to create jobs and improve the lives of the people of Southwestern and Southern Illinois, as well as in his role on the Aviation Subcommittee. His leadership in aviation is best illustrated by the passage of The Airline Safety and Pilot Training Improvement Act of 2009 in the House, the strongest aviation safety bill passed in 50 years.

I wish JERRY the best of luck in his future endeavors, and know that I speak for many other Members when I say he will be dearly missed.

Mr. SHIMKUS. Mr. Speaker, it is my pleasure to honor a dedicated public servant—Congressman JERRY COSTELLO. JERRY has served the people of Illinois as a law enforcement officer, as St. Clair County Board Chairman, and as a member of this House.

As you know, JERRY and I are from different political parties. But when I first came here to Washington, he was one of the first people to help me and to give me advice. He was always willing to answer my questions—some that probably seemed very basic to him. We found that despite our political differences, our callings were both based in faith—and that has allowed our relationship to grow.

I consider JERRY COSTELLO a close friend and confidant. I cannot remember a single issue relevant to our part of the state that we have disagreed on. It has been a pleasure joining him in working on behalf of Scott Air Force Base, the levee and flood insurance issues we continue to face, and legislation related to industries important to southern Illinois like coal and renewable fuels.

Finally, I want to thank JERRY's wife Georgia and his children Jerry II, Gina and John for sharing their husband and father with all of us. And to Jay, Austin, Rorey, Ireland Keen, Jerry III, Victoria, Georgia Danielle and John Patrick—I know your grandpa is looking forward to spending more time with each of you.

Thank you, JERRY. May God continue to bless the Costello family.

Mr. MANZULLO. Mr. Speaker, I rise today to celebrate the service of my colleague and good friend, JERRY COSTELLO. I have had the privilege of serving with JERRY for almost 20 years. Perhaps the greatest compliment that I can pay him, especially in this town, is that he remains the same guy today that he was when I first met him in 1993. JERRY is a serious legislator and a thoughtful statesman. He has served his constituents with devotion and distinction, but more than that, he has worked on a broader scale to advance good policy for the betterment of all the citizens of Illinois and those nationwide.

As one of the foremost transportation experts in Congress, JERRY has worked with colleagues on both sides of the aisle to improve America's transportation infrastructure and increase the safety of our skies. JERRY earned the reputation of being a hard worker and an approachable colleague. In his various leadership roles, you could count on JERRY to listen to the needs of your district and provide assistance when able. Even when you find yourself on the other side of a policy issue from JERRY, he treats you with fairness and respect. Differences of opinion with JERRY are never personal, and that is why so many colleagues consider JERRY to be a personal friend.

Given that a Member's staff is a reflection of the Member, it should be no surprise that JERRY assembled a team of considerate and effective public servants. Along with his talented chief of staff, David Gillies, JERRY consistently worked to promote a constructive and collegial environment within the Illinois delegation regardless of which side was in power.

Given his rock-solid reputation, impeccable character, and impressive resume of accomplishment, other colleagues will likely describe JERRY as part of a dying breed of statesmen, a sentiment with which I concur. On behalf of the constituents of Northern Illinois, I thank JERRY for his service and for the infrastructure improvements he supported in our neck of the state. I wish JERRY and Georgia all the best as they begin this new chapter of their lives together.

Mr. SCHOCK. Mr. Speaker, at the beginning of the 113th Congress, the Illinois delegation in the House of Representatives will be missing a familiar face. Representative JERRY COSTELLO, after over two decades of service to the people of southern Illinois, will retire at the end of this term. He leaves Congress with an exemplary record of accomplishments and a long list of friends on both sides of the aisle, and he will truly be missed.

Among the many issues that JERRY worked on during his tenure, he and I share a passion for infrastructure improvements. During my first term, I served on the Transportation and Infrastructure Committee with JERRY, and his example and determination to work with both sides to get things done was invaluable to me. His spirit of putting the people he represented before partisanship is one that all of us, his colleagues, strive to embody as well.

Over the course of his time in the House of Representatives, JERRY earned the respect of his colleagues and staff, but his successes and achievements in Washington never made him forget where he came from. He and his family maintain their deep roots in Illinois, and every weekend he could be found somewhere in the 12th District holding a town hall, speaking at a local gathering, or participating in a media event.

JERRY's retirement means that Illinois has lost a great Representative, but it retains a great citizen. Whatever he decides to pursue in the coming years, I hope he finds time to get some well-deserved rest and relaxation with his wife and family. I wish him all the best.

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the life and career of my friend, the Honorable JERRY COSTELLO.

Born and raised in the Midwest, Congressman COSTELLO has dedicated his life to serving the residents of the state of Illinois. Prior to being elected to the U.S. House of Representatives, he had a career in law enforcement and worked as a county bailiff and deputy sheriff. His service to the State of Illinois and St. Clair County in the early days of his career led him to seek office in the House of Representatives in a special election in 1988. He has consistently put the needs of his constituents first for the past 24 years.

Today, Congressman COSTELLO is the most senior member of the Illinois delegation and has been a guide to freshmen members throughout the past dozen Congresses. He has been a leader in areas such as infrastructure and science and technology. JERRY has also been dubbed ''the patron saint of Scott Air Force Base,'' one of the largest employers in the State of Illinois. Above all, the Congressman has been a fearless and dedicated representative of his constituents in southern Illinois.

Mr. Speaker and colleagues, please join me in congratulating our friend and colleague, Congressman JERRY COSTELLO, on 24 years of service to the residents of southern Illinois and the United States of America. His wisdom and leadership will be missed in the halls of Congress.

Mr. CAPUANO. Mr. Speaker, I rise today to speak about my friend Congressman JERRY COSTELLO of Illinois. JERRY is retiring at the end of this session and we wish him well.

By the time I arrived in Congress, JERRY was already a senior Member. I did not know him and had never heard of him. We met through our mutual friend, Congressman RICHARD NEAL. We had a fair amount of mutual background—having been elected executive officials from our home states and having a deep respect for the art of politics and government.

First and foremost, JERRY serves his constituents. We usually sit together during votes and we discuss most of them. I want to hear his opinion and I want to argue with him because we often see things differently. I know for certain that the most important factor he weighs for every vote is what is in the best interest of his constituents and what they would want him to do.

JERRY embraces the concept of compromise. Many newer Members see compromise as defeat—but they are wrong and, hopefully, someday soon they will realize their folly. Compromise is essential to advance any society—our founders knew it, democracy demands it. Compromise does not mean declaring victory on every aspect of every issue—it means having a clear goal and knowing when you cannot achieve it, it means recognition that some progress is usually better than none, it means that you accept the fact that other people have valuable opinions that they hold as dearly as you hold yours. Unless your constituents want no changes to anything in life, compromise is essential.

JERRY is also a true friend. To me, a friend is not the person who simply tells you how wonderful and correct you are all the time. A true friend knows how to tell you when you are wrong. A true friend stands by you when they can and doesn't hurt you when they cannot. JERRY is a true friend.

Finally, JERRY COSTELLO has his priorities straight—God, country, family, constituents. Religious beliefs are personal. I have told you what he has done for his country and his constituents. But a complete person also has a private life of friends and family. As a friend, I have often heard JERRY boast about his entire family—his parents, his wife, his children, and grandchildren.

As you can see by now, I think JERRY COSTELLO is a wonderful person. I will miss him on the floor. I will miss him in Committee. I will miss sharing an evening meal together. But more importantly, Congress will miss him. America will survive and prosper after he leaves Congress; thankfully, none of us is that important to this House. But JERRY COSTELLO will not be easily replaced in these halls and he will be remembered as a good Member of Congress and a good man.

Ms. RICHARDSON. Mr. Speaker, today I rise to recognize the tireless service and dedication of my friend and colleague, Congressman JERRY COSTELLO of Illinois. Congressman COSTELLO has announced his retirement from the House at the end of the 112th Congress after 24 years of faithful and effective service to the people of the 12th Congressional District of Illinois.

Known to his friends and colleagues simply as ''JERRY,'' Congressman COSTELLO began his career shortly after graduating from high school, working as a law enforcement officer while attending Maryville University. In 1980, Congressman COSTELLO was elected Chairman of the St. Clair County Board, the chief executive of one of Illinois' largest counties, where he gained valuable leadership experience. In 1988, JERRY was elected to Congress.

I have had the privilege of working closely with JERRY throughout my tenure on the Transportation and Infrastructure Committee, on which he has been an influential and a senior Democratic member. JERRY is perhaps the leading expert in the House on aviation issues and I feel fortunate to have been a member of the Aviation Subcommittee when he chaired the panel during the 110th and 111th Congress. Congressman COSTELLO also served as the second ranking Democrat on the Science, Space, and Technology Committee, playing a leading role in writing and passing several major pieces of legislation to improve our Nation's infrastructure and technological advancement.

As Chair of Aviation Subcommittee, JERRY played an indispensible role in passing the $68 billion Federal Aviation Administration Reauthorization Act. JERRY has worked to pass

major bills for our Nation's transportation infrastructure, including obtaining a significant grant for a new Mississippi River Bridge. He also secured the passage of the Airline Safety and Pilot Training Improvement Act of 2009.

JERRY has been a champion of bipartisanship throughout his tenure in the House, and is deeply respected by members on both sides of the aisle. He refused to allow partisanship to keep him from finding the common ground necessary to advance the interests of his constituents and the American people.

JERRY's talent for finding common ground enabled him to assemble and lead the coalition that saved Scott Air Force Base from closure and led his constituents to dub him affectionately as the ''Patron Saint of Scott AFB.''

I am honored to count JERRY as one of my close friends and colleagues. Throughout his tenure, JERRY has proven to be a shining example of the type of dedication and devotion we should all strive to match. I have long been an admirer of Congressman COSTELLO's work, and we will all surely feel the loss of his presence.

Mr. Speaker, Congressman COSTELLO is a Member's Member: honorable, hardworking, selfless, and dedicated to public service. It has been an honor to serve with him in the People's House. I wish JERRY and his family success and happiness as he embarks upon the next phase of his remarkable career of service, all the best in his future endeavors.

Mr. HULTGREN. Mr. Speaker, I am truly honored to have had a chance to serve in Congress with my colleague and friend, Representative JERRY COSTELLO.

Beloved by his constituents, Congressman COSTELLO has been a staple in southern Illinois for many years. For me personally, he has been a model, a mentor and an example of how to succeed.

In an age of hyper-partisanship, Congressman COSTELLO fearlessly crosses the aisle for his district. Last year, he even championed the No Taxpayer Funding for Abortion Act.

I've also had the pleasure of collaborating with the Congressman on two committees: Science, Space and Technology, and Transportation and Infrastructure. He has been such a mentor for me on these committees during my first term in Congress, and has been a great ally, especially on transportation issues and 2nd amendment rights.

Congressman COSTELLO will be sorely missed, both on these two committees and in the Illinois delegation. On behalf of my staff and the people of the 14th, I thank him sincerely for his service.

Mr. ROSKAM. Mr. Speaker, today, we take time to honor our friend and colleague Congressman JERRY COSTELLO, who retires this year after 24 proud years representing the 12th District of Illinois.

Throughout his career, JERRY earned the respect of his colleagues on both sides of the aisle, and is known as a man dedicated to his family, his community, and public service.

Born and raised in East Saint Louis, JERRY spent his career representing his friends and neighbors first as the Chairman of the St. Clair County Board, and then as a Member of Congress.

Since coming to Washington, JERRY has worked tirelessly on behalf of his constituents, Illinois farmers, the transportation community and Scott Air Force Base. The State of Illinois will certainly miss having such a senior legislator and consummate professional in Congress.

But this body's loss is the gain of the entire Costello family, especially his wife Georgia, their three children and eight grandchildren. I wish them all the best as they embark on this new chapter of their lives, and congratulate Congressman JERRY COSTELLO on a career of service to Southwestern Illinois.

Mr. RUSH. Mr. Speaker, I rise today to pay tribute to my friend and colleague and the Dean of the Illinois Delegation, Congressman JERRY COSTELLO.

Congressman COSTELLO has been a fixture of these halls since his arrival in 1988. Since my own arrival to Congress in 1993, I have known JERRY COSTELLO to be a kind, diligent, and caring public servant for the people of Illinois and the United States.

Whether working towards FAA reauthorization, creating local jobs, or saving Scott Air Force Base from closure, JERRY COSTELLO has shaped and improved Southwestern Illinois.

I will miss JERRY COSTELLO's collegiality and his leadership. Just because he is departing Congress does not mean there is not much work left for him to do. I look forward to seeing what the next chapter of his life brings and, on behalf of my wife, Carolyn, myself, and the people of the First Congressional District of Illinois, I wish him well on his journey.

Congratulations, JERRY!

Mr. SCHILLING. Mr. Speaker, I rise today in honor of JERRY COSTELLO, who will be retiring at the end of the 112th Congress. We need more Members of Congress like JERRY—Representatives who are willing to reach across the aisle and work to get the job done regardless of party.

There is no limit to what you can accomplish when you don't care who gets the credit. JERRY is one of those guys, and his commitment to Illinois and our country will definitely be missed.

JERRY has served on the Transportation and Infrastructure Committee and has helped enact national highway policy to improve our country's roads and bridges. This is a bipartisan issue and after nine term extensions I am glad that this Congress came together to pass the first multiyear highway bill since 2005. JERRY has been extremely strong on transportation and infrastructure issues and future representatives will have large shoes to fill.

JERRY is a committed family man and early on in my first term, I quickly realized how hard it is to be away from your wife and children so frequently. I respect him for keeping his family home in Illinois, traveling to DC to serve, and returning home. Public service is about serving the people, not serving one's own self.

Over the past 24 years, the people of the 12th district have been fortunate to call JERRY COSTELLO their Congressman. His leadership, bipartisanship, hard work, and dedication to public service will not soon be forgotten. On behalf of the 17th district, I wish Congressman COSTELLO a happy and healthy retirement. Than you for your service.

Ms. BROWN of Florida. Mr. Speaker, I rise toddy to honor a great statesman, a great chairman, and a man who always put his district first. When Congressman COSTELLO retires after a long and distinguished career of service, he will be missed not only be his colleagues, but by the institution of Congress itself.

I am proud to have worked with JERRY COSTELLO as we fought for critical transportation infrastructure funding to prepare our county for the future. His leadership as Chairman and Ranking Member of the Aviation Subcommittees made the world's aviation system more efficient and safer, while facing some of the most challenging times for the industry.

I enjoyed traveling with JERRY and his lovely wife Georgia, who offered great support both personally and professionally for her husband. Together, we went on various congressional delegation fact finding missions to further our understanding of comparative transportation systems around the world, and to augment U.S. relations abroad, particularly with respect to cooperation in the transportation and infrastructure sector.

During his many years of serving in the House, Congressman COSTELLO has always been regarded as a Member who can get things done because of his results-oriented focus, and bipartisan approach to issues. As a senior Democrat on the Transportation and Infrastructure Committee and the second ranking Democrat on the Science, Space and Technology Committee, he has played a major role in writing several major pieces of legislation while focusing on improving the nation's transportation-infrastructure system.

Examples of his effectiveness include helping to write two national highway bills, securing $150 million for a new Mississippi River Bridge in the last highway bill—one of the largest single earmarks in the legislation—and the passage of the Airline Safety and Pilot Training Improvement Act of 2009. This legislation, the strongest aviation safety bill in over 50 years, enhances airline safety by significantly increasing the flight hours required for commercial first officers and strengthening pilot training.

Additionally, Congressman COSTELLO served four years as Chairman of the House Aviation Subcommittee and now serves as the subcommittee's senior Democrat. In 2007, he wrote and helped pass a $68 billion bill in the House to reauthorize the programs of the Federal Aviation Administration to ensure that our aviation system remains the best and safest in the world. Two years later, he reintroduced the legislation and it passed the House once again.

In closing, Congressman COSTELLO will be missed in Washington not only for his legislative accomplishments but for his good natured way of interacting with his colleagues and staff. A beloved family man, and a Member who is very well liked on both sides of the political aisle, JERRY contributed a great deal both to the Committee on Transportation and to a general feeling of political collegiality on Capitol Hill.

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to thank my colleague and my dear friend Representative JERRY COSTELLO for his 24 years of outstanding service to his district, Illinois and the country. Although he is retiring from Congress at the end of this year, his impact will be long-lasting.

Since arriving in Congress in 1999, I have been very fortunate to have JERRY COSTELLO to rely on for advice and guidance. He and then-Representative Ray LaHood, now Secretary of Transportation, convened routine meetings of the Illinois House delegation to discuss how we could work together to meet the needs of our state. A fierce advocate for

Southwestern and Southern Illinois, JERRY was eager to help all parts of the state obtain federal assistance and meet the needs of our constituents. Our delegation may have had disagreements on policy, but we were united in our desire to bring funding to Illinois to create jobs, improve access to health care, help farmers, and promote Illinois businesses.

It wasn't until I had been in Congress for a while that I realized not every state delegation met in this manner. It was because of the leadership of JERRY COSTELLO, his dedication to getting things done and his ability to work in a bipartisan manner that the Illinois delegation could get together not just to talk but to achieve concrete results.

Throughout his career, JERRY COSTELLO has been a real workhorse. As a senior member of the Transportation and Infrastructure and ranking Democrat on the Aviation Subcommittee, he has shaped transportation policy and is responsible for unprecedented improvements in aviation safety. He is a recognized expert on transportation issues and he is known for his commitment to protecting the interests of travelers, riders and passengers and the rights of transportation workers. He has brought his policy interests to other areas as well—from his role on the Science, Space and Technology Committee to his interests in agriculture, education and children.

JERRY COSTELLO is the go-to leader of the Illinois House delegation and it is easy to see why. It is not just that he loves the state of Illinois and the House of Representatives. It is not just that he can put together strategies to pass legislation or bring federal assistance to his district. It is his entire being—a calm but determined demeanor, a common-sense approach to problem-solving, and a welcoming attitude for his beloved constituents and his colleagues. Throughout my time in Congress, JERRY has been generous in sharing with me his time and his talents—and for that I am extremely grateful.

I have also been happy to get to know JERRY's wonderful wife, Georgia. Georgia, the president of Southwestern Illinois College and advocate for the Illinois Green Economy Network, also brings the spirit of public service to her work in improving our community.

JERRY, your record of accomplishment over the past 24 years is enormous. While you are retiring from the House of Representatives, I know that you and Georgia will continue to work to improve the lives of Illinoisans. I thank you for your friendship that I hope will endure and for all you've done for our great state.

Mr. GUTIERREZ. Mr. Speaker, I rise in tribute to the gentleman from Illinois, Mr. COSTELLO.

Next year, at the beginning of the 113th Congress, I will reluctantly assume the title of Dean of the Illinois delegation in the U.S. House of Representatives. I say reluctantly because two things are true. One, to paraphrase Groucho Marx, I would never want to be a Member of a Delegation that would have me as its Dean. Secondly, I have tremendous shoes to fill and a hard act to follow.

The current Dean is my friend, colleague, and mentor Rep. JERRY COSTELLO, who will leave the House at the end of his current term. It saddens me that he is leaving the House and bequeathing the title of Dean to me.

JERRY was re-elected twelve times to represent the people of the exotic and—at least to us in the City of Chicago—distant lands in southern Illinois, anchored by the City of Bellville, JERRY's home town. He has served his district, the people of Illinois and the people of the United States with distinction for 24 years.

His diligent work as a senior member of the Transportation and Infrastructure Committee, the Aviation Subcommittee, and the Science, Space and Technology Committee teaches an important lesson to young Congressmen and women: specialize. JERRY has made transportation a central theme in his career and the work he has done to ensure that infrastructure and transportation systems in Southern Illinois are world class is but one testament to his success.

Together with his wife, Georgia, the distinguished President of Southwestern Illinois College, I know JERRY will continue serving the people of Illinois in some capacity. It is in his nature.

When I came into the House in 1993, JERRY had already been here for more than two terms and helped young people like me find our way. Over the years, we developed a friendship and a kinship. Even as Democrats from the same State, I could not always vote for what he supported and he could not always vote for what I supported, but we could always look beyond that.

The people of Illinois may not even realize it yet, but they will miss JERRY in the House of Representatives. The Democratic Caucus probably doesn't realize how much we will miss JERRY. But I know how much I will miss JERRY and I wish him tremendous success and good luck.

Mr. DOLD. Mr. Speaker, I rise today to join my colleagues in honoring Congressman JERRY COSTELLO on his 24 years of service to this body and the great State of Illinois. As dean of our delegation, Congressman COSTELLO set a great example, especially for me and other freshman Members from our State. He has been a helpful institutional resource and a strong champion for the needs of Illinois.

Congressman COSTELLO has a long tradition of legislative leadership, particularly on transportation issues. During his time in the House, he worked diligently with Members on both sides of the aisle to improve transportation infrastructure across this country. I appreciate his strong work ethic, and commitment to achieving results through a bipartisan manner, and believe this chamber and this country is better for it.

Most importantly, I want to applaud Congressman COSTELLO's unwavering commitment to his constituents in the 12th District of Illinois. For the last quarter century, he has been their strongest advocate in Congress, and the communities in southern Illinois have benefited greatly from his leadership.

I would also like to recognize Congressman COSTELLO's family—his wife, Dr. Georgia COSTELLO, and his three children, Jerry, Gina, and John Patrick—for supporting him during his storied tenure. I wish Congressman COSTELLO and his family all of the best as he leaves Congress, and hope that he finds happiness and fulfillment in all his future endeavors.

Mr. KINZINGER of Illinois. Mr. Speaker, throughout his career as a public servant, Congressman JERRY COSTELLO has displayed a commitment to his fellow citizens, starting with his career in law enforcement and transitioning to become a very successful court administrator. In 1980, he was elected chairman of the St. Clare County Board and acted as its chief executive for 8 years until being elected to Congress from Illinois' 12th district. Congressman COSTELLO's wife, Georgia, has also displayed a dedication to the people and communities of southern Illinois, working as a teacher, school principal, administrator, and most recently, the President of Southwestern Illinois College.

Throughout his 24 years in Congress, Congressman COSTELLO has been a tireless advocate for the 12th district, working to improve the region's economy and enhance its transportation infrastructure. As a senior member of the Transportation and Infrastructure Committee, Congressman COSTELLO helped write two highway bills that included funds for many local projects, including the construction of the New Mississippi River Bridge. He led the push to construct the MetroLink Light Rail, a rail system connecting St. Clare County to the St. Louis region. In addition, Congressman COSTELLO was instrumental in developing southern Illinois' clean-coal industry, working to secure research and funding grants for various local universities.

Congressman COSTELLO served four years as the Chairman of the Aviation Subcommittee, helping to shepherd numerous airline safety and Federal Aviation Administration reform bills into law. One of his most significant legislative accomplishments is helping to write the Airline Safety and Pilot Training Improvement Act of 2009, a bill that increased the required number of commercial pilot training hours and set new rules to limit pilot fatigue.

For his work protecting and enhancing the Scott Air Force Base, Congressman COSTELLO has been recognized as the base's ''Patron Saint.'' He championed the base through numerous rounds of the Base Realignment and Closure process from 1995–2005, establishing Scott as one of America's leading Air Force bases. His efforts not only preserved the base, but brought the Army's Surface Deployment and Distribution Command and added 800 jobs the region.

In my two years working with Congressman COSTELLO, I have had the privilege to get to know and learn from him. The Illinois delegation will surely miss his expertise and leadership. He leaves behind a legacy of being able to work with any Member, regardless of party, to get the job done and do what's best for the Nation. I am grateful for the time during which I was able to call Congressman COSTELLO my colleague and friend, and wish him all the best in his future endeavors.

Mr. JOHNSON of Illinois. Mr. Speaker, I rise today to pay tribute to my good friend and fellow Illinois Representative, Congressman JERRY COSTELLO.

I can say with sincerity that JERRY COSTELLO, after 24 years of dedication, has gone above and beyond in every way possible to serve the 12th District of Illinois and this nation. Throughout his tenure, Congressman COSTELLO has worked tirelessly to improve the economic standing of Southern Illinois, as well as foster positive change for this nation.

JERRY COSTELLO has been one of the most ardent workers for improving national transportation and has received many honors and recognition over the years for his work on agricultural issues of great importance to Illinois

farmers. With his bipartisan approach to issues, Congressman COSTELLO has garnered results time and again for the State of Illinois.

Not only do Congressman COSTELLO and I share this strong, cross-party attitude, but we also sit together on the Committee on Transportation and Infrastructure. Through our work together, I have witnessed first-hand the amount of effort and hard work that he has put into the improvement of transportation infrastructure in the 12th District of Illinois as well as nationwide. Most importantly Congressman COSTELLO never left his district and always came back to Illinois after the session was over. This enabled him to truly stay grounded and in touch with his constituents.

I would take this moment to honor Congressman COSTELLO and all his years of service. Thank you, Congressman JERRY COSTELLO and congratulations on your numerous achievements. I wish you the best of luck in all future endeavors.

Mr. PETRI. Mr. Speaker, as we are approaching the final days of the 112th Congress, I want to join with so many other House Members in paying tribute to my friend and colleague, Representative JERRY COSTELLO.

While JERRY and I have served together on the Transportation and Infrastructure Committee for over 20 years, I really have come to know and admire him during the last six years as we have served together in leadership positions on the Aviation Subcommittee. JERRY was Chairman for four years while I served as the ranking minority member, and this Congress that was reversed with the Republican majority.

But no matter which of us was Chairman, we forged a working relationship based on respect and a desire to work together on a bipartisan basis to get things done. And we have had a productive six years together. We passed the Airline Safety and Pilot Training Improvement Act of 2009, one of the strongest safety bills to pass Congress in a long time. We spent a number of years working on a comprehensive FAA reauthorization bill, which culminated in the signing of the FAA Modernization and Reform Act of 2012 on February 14, 2012.

We have been committed to providing oversight and support for the effort to modernize our air traffic control system, known as NextGen. As we were first starting out together with JERRY as Chairman back in 2007, we discovered the FAA could not even succinctly tell us just what NextGen actually was. We determined then that a major priority for us was to do all that we could to make sure this program was on track, that the FAA was held accountable for management of the program, and that other stakeholders be involved and consulted in this effort. Just this morning, we held our final NextGen oversight hearing, and I believe that we have been an effective team over the years on this program which is so critical to the future of our aviation system.

There has been much well-deserved concern expressed about the lack of civility and bipartisanship these days in the House. JERRY and I have shown that, even though you may not always agree, when you work through issues to actually accomplish something rather than just trying to score political points, we can do things that improve our nation.

JERRY is one of the workhorses of the House who has been an effective Representative for the 12th District of Illinois. He is a decent and honorable man, and I consider it an honor to have served and worked together with him. My best wishes go to JERRY, his wife Georgia, and the entire family as they begin this new phase in their lives.

Mr. LUJÁN. Mr. Speaker, for more than two decades, Congressman JERRY COSTELLO of Illinois has served the people of his district and his state with distinction. Congressman COSTELLO represents the type of individual we need here in this body to advance the important business of our country. As a thoughtful, fair, and dedicated representative, he is held in high esteem by colleagues on both sides of the aisle.

I am pleased to have had the opportunity to serve with him on the Science, Space, and Technology Committee and see firsthand the knowledge and passion that he brings to his role as a leader on the Committee. His Committee colleagues and I have the greatest respect for him, always valuing his opinion on the important issues before us.

While JERRY will be truly missed in the halls of Congress, I thank him for his service and wish him well on his next endeavor. I know that his wife Georgia, his children, and grandchildren will be glad to have more time to spend with him.

Mr. MCNERNEY. Mr. Speaker, I rise today to recognize my colleague, Representative JERRY COSTELLO, who has announced his retirement at the end of this Congress. I am honored to have served with JERRY on two committees, and I respect and admire his bipartisan approach to our work here in Congress.

During my first term here in Congress, JERRY addressed an issue in the Science Committee with the force and backing to make a real impression on me. He has provided us all with a model of how a leader can engage in robust debate with respect and an open mind. Whenever a colleague approached JERRY, he has always been willing to listen and give valuable input.

Congressman COSTELLO has been a wonderful leader and colleague, providing us with a great example of how we can accomplish things in Congress to benefit the areas we represent. The entire country and I thank JERRY for his 24 years of service to his constituents in Illinois and to all Americans, and while I am sorry to see him go, I wish him the best in his next endeavors.

Mr. ROHRABACHER. Mr. Speaker, even though the Science Committee prides itself on bipartisanship, at times, the discussions got a little heated. Luckily, we've had JERRY COSTELLO there to help cool things off. JERRY's business-like approaches and pleasant smile have always been a positive factor in getting things done. Unlike so many of us, JERRY likes to listen as much as he likes to talk. This unique characteristic actually enabled him to disagree in a very agreeable way.

In short, even those of us who do not agree on particular issues, respect and like JERRY COSTELLO. He will be missed on both a personal and professional level. I wish him the best because he has been one of the best.

Mr. QUIGLEY. Mr. Speaker, today I rise to honor my dear friend and colleague Congressman JERRY COSTELLO.

For 24 years Mr. COSTELLO has served the people of Southwestern and Southern Illinois with a will and determination I have long admired. As a member of the Illinois delegation, I have often looked towards his bipartisan work ethic and unique ability to reach across the aisle as a reminder of what can be achieved when lawmakers put the American people before themselves. Congressman COSTELLO ''gets it.'' He's a man of character who has never lost sight of his ultimate purpose: to serve the people of Illinois' 12th District.

Mr. Speaker, Congressman COSTELLO is also a man who has never shied away from working hard to make his goals a reality. After high school, he worked full time as a law enforcement officer in order to pay his way through college. He went on to serve his community administering the region's court services system, and in 1980 he was elected Chairman of the St. Clair County Board.

After proving his ability as a leader, the good people of Southwestern and Southern Illinois saw fit to send Mr. COSTELLO to Congress in 1988, and he took his vision for a new regional Illinois transportation network to the national level. As a senior member of the Transportation and Infrastructure Committee, he has worked tirelessly to expand transit, having championed the $670 million Mississippi Bridge between Madison County and downtown St. Louis. In addition, through his role on the Aviation Subcommittee, he helped pass some of the toughest aviation safety laws our country has seen in over half a century.

It is because of efforts like these that Congressman COSTELLO has established himself as one of Congress' most effective members, someone who can be counted on to get things done. For the past 24 years the people of the 12th Congressional District of Illinois could rest easy knowing that Congressman JERRY COSTELLO was working hard for them in Washington. His constituents, and those of us who have had the pleasure of working with him, know that if there is a tough task or issue to address, JERRY COSTELLO is the person to see it through.

Mr. COSTELLO has spent most of his life serving the public. He is admired by his family, district and his peers and rarely is there a member who has worked so well across party lines and accomplished so much during his time in office. I want to thank him for setting an ideal example that we should all strive for when we come to DC. It is part of the larger legacy he leaves in Congress, which will stay with many of us as we continue where he leaves off in working for the American people.

Mr. Speaker, JERRY COSTELLO's presence in the halls of Congress will be sorely missed. I am proud to call Congressman JERRY COSTELLO a friend and wish him all the best as he heads back to Illinois to seek new endeavors.

Mr. MICHAUD. Mr. Speaker, I rise today to honor and pay tribute to my distinguished friend and colleague from Illinois, JERRY COSTELLO, as he enters his final days serving the Prairie State in Congress.

JERRY has been a loyal advocate and dedicated fighter for the people of Southern and Southwestern Illinois in the U.S. House of Representatives. JERRY'S unyielding commitment to Illinois, however, dates back even further—to his early days working as a full-time law enforcement officer as he worked his way through college. No matter how far JERRY traveled, his heart has always remained with his community—and his family, at home in Belleville.

Since I first arrived in Congress in 2003, I have had the privilege of serving as a member

of the Transportation and Infrastructure Committee. During our service together, I have continually been impressed by JERRY's understanding of key issues, especially those pertaining to aviation, as well as his knowledge and passion for the legislative process.

Members of Congress and influential figures on both sides of the aisle have praised Jerry for his willingness to work across party lines to get things done for his constituents and the nation. As the rough winds of partisanship have made getting things done in Washington difficult, Illinois and Congress have benefitted from an experienced pilot who still believes that by working together, Congress can push ahead through turbulence to a better flight plan for our nation.

Mr. Speaker, please join me in honoring my friend and colleague, JERRY COSTELLO, for his eleven terms in Congress and his continued dedication to our nation.

Mr. BISHOP of New York. Mr. Speaker, I rise to recognize my good friend and distinguished colleague from Illinois, Congressman JERRY COSTELLO. It is an honor for me to join my colleagues on both sides of the aisle to commend and thank him for his outstanding leadership and long record of service to this nation.

As this session's adjournment and his retirement approaches, I also wish to take this opportunity to thank JERRY for his friendship and guidance as my senior colleague on the Transportation & Infrastructure Committee, on which I have had the honor of serving with him since I was first elected in 2002. When I first met JERRY, he was already a veteran member of this body with a broad knowledge and understanding of the many important and complicated issues under our committee's jurisdiction.

JERRY's guidance and counsel in those early years were invaluable to me as a new Member. I have continued to look toward JERRY in this Congress as the standard-bearer for our committee with an unrivaled insight, institutional knowledge, and vision of the many complex issues facing our nation.

As the former chairman and now ranking member of the aviation subcommittee, JERRY has performed a critical service in shaping federal aviation policies to ensure our system remains unrivaled and the safest in the world. As a senior member of the Science, Space & Technology Committee, JERRY has proven there is no stronger advocate or more successful champion for our nation's space program or national STEM initiatives to better prepare students for a 21st Century economy.

Indeed, JERRY has achieved tremendous success and distinguished himself with an impeccable record of accomplishments in public service and leaves an indelible mark on the House of Representatives.

Mr. Speaker, I wish Congressman JERRY COSTELLO the best of luck in his future endeavors and bid the gentleman from Illinois a fond farewell.

Ms. EDWARDS. Mr. Speaker, I rise to commemorate the congressional career of our colleague, the gentleman and legislator from Illinois' 12th Congressional District, JERRY COSTELLO. It is hard to imagine this Congress, the Science, Space and Technology, SST, Committee, and the Transportation and Infrastructure, T&I, Committee without him as he retires at the end of the 112th Congress. I am happy that he is leaving on his own terms and I wish him every happiness as he moves on to the next phase of life.

When I became a Member of the House of Representatives in 2008, I was new to elected public office. I was given the opportunity to serve on the SST and T&I Committees, both of which I have had the honor of serving with Representative COSTELLO. As a new Member of Congress, there are certain members you observe and seek to emulate. Right away, I admired Rep. COSTELLO's preparation, diligence, and his quiet and tempered leadership.

Throughout my time in the House, I have seen Representative COSTELLO exhibit these qualities time and time again. That is likely why he has managed a feat rare in this day and age, being admired by both Democrats and Republicans as a man who exemplifies public service.

On the T&I Committee, Rep. COSTELLO fought to make air travel safer with the passage of the Federal Aviation Administration Reauthorization Act of 2007. Responding to the crash of a commuter airplane outside of Buffalo, NY, he sought to improve safety standards to ensure better pilot training in 2009.

He has fought tirelessly over his 26 years in the House of Representatives for his constituents by expanding critical infrastructure in the 12th Congressional District of Illinois, growing the local economy, and bringing good paying jobs to the region. Southern Illinois is better off to have had such vigorous and able leadership.

All of us in this institution are referred to as the gentlelady or gentleman from the day we are sworn in as a Member of this body. However, Rep. COSTELLO truly deserves that title since he is a true gentleman. His retirement will leave a void in this House that cannot be filled.

My first four years in Congress, the House of Representatives, and our country are better off thanks to JERRY COSTELLO's public service and efforts. I wish you JERRY, your wife Georgia Cockrum Costello, your children Jerry II, Gina, and John Patrick, and your eight grandchildren continued success, happiness, and hopefully some well-earned rest. I know they have been of tremendous support to you in your service to this House and our nation. You leave behind a legacy of service that others can and should aspire to.

Ms. WILSON of Florida. Mr. Speaker, I rise today to recognize Congressman JERRY COSTELLO, my colleague on the Science, Space and Technology Committee, who is retiring at the end of this Congress after 24 years of service to Illinois' 12th Congressional district.

Congressman COSTELLO began serving his community long before he was an elected official. As a college student, Mr. COSTELLO helped make communities safer by working as a law enforcement officer. Though hard work, dedication and leadership, Mr. COSTELLO earned the respect and trust of his peers, leaders throughout the State of Illinois and most importantly, his community. A few years after graduating from Maryville University, Mr. COSTELLO was elected as Chairman of the St. Clair County Commission Board. Fittingly, when his community was searching for an exceptional leader to replace 22-term Congressman Melvin Price, they turned to Mr. COSTELLO. Over the next 24 years, he would lead his community through some of its most challenging times.

When the Scott Air Force Base, one of his district's largest employers, was facing closure, they turned to Congressman COSTELLO. He not only stood up for them, he delivered. In addition to convincing the Department of Defense (DOD) to keep the base open, he worked with them to bring hundreds of additional jobs to the region.

Congressman COSTELLO has worked in a bipartisan manner to make flying safer and strengthen our nation's infrastructure. He helped write and pass legislation that has pumped billions of dollars into our nation's infrastructure, and heightened aviation industry standards. As Chairman of the House Aviation Subcommittee, Congressman COSTELLO prioritized passenger safety, held airline companies accountable and pushed for innovations rather than accept the status-quo.

While he will be missed in Washington, through his countless contributions, his presence will linger. His wife Georgia, three children, eight grandchildren and constituents will be happy to have him home.

Mr. Speaker, Congressman COSTELLO epitomizes what it means to be a public servant. I am grateful for his 24 years of service to our nation and I encourage my fellow members of Congress to commend him for his service. Thank you Congressman COSTELLO.

Mr. LARSEN of Washington. Mr. Speaker, I rise to salute my friend and colleague, Mr. COSTELLO on over two decades of admirable service to our country and especially to the people of Southern Illinois.

I have been honored to serve with Mr. COSTELLO as a member of the Transportation and Infrastructure Committee, where I have seen firsthand his skill at working on a bipartisan basis to improve our nation's transportation infrastructure. As the Ranking Member of the Aviation Subcommittee, his patience and willingness to work with all Members of Congress was critical in the passage of the recent Federal Aviation Administration reauthorization bill.

He has provided leadership, guidance and a long-term vision of how we can move our country forward. I am thankful for his friendship and advice over the years, and I wish him the best in his future steps.

Mr. NEAL. Mr. Speaker, I would like to take this opportunity to recognize the retirement of my dear friend, Congressman JERRY COSTELLO. During his tenure in the U.S. House of Representatives, his absolute dedication to the 12th district of Illinois, and his success in passing beneficial legislation has gained him the admiration of colleagues and constituents alike. He is fully committed to the prosperity of the economy, the well-being of his constituents, as well as solving the issues of the day.

As a member of the House Committee on Transportation and Infrastructure, Congressman COSTELLO made his mark through the improvement of the transportation industry for both his district and the nation. He is responsible for the creation of MetroLink extension in St. Clair county and for funding the construction of the Mississippi River Bridge. Congressman COSTELLO is also an active member of the Aviation Subcommittee and the Railroads, Pipelines and Hazardous Materials Subcommittee. He worked relentlessly to pass the Airline Safety and the Pilot Training Improvement Act of 2009, the strongest aviation safety legislation in fifty years, following a passenger jet crash killing fifty-one people. Congressman COSTELLO will also always be remembered as

''the patron saint of Scott Air Force Base,'' for preventing the base's closure in Belleville, IL during the Base Realignment and Closure process and for expanding its operations.

As a senior member of the House Committee of Science and Technology, Congressman COSTELLO is known for his dedication to developing clean coal technology and for providing a voice for Illinois farmers and workers. Due to his many accomplishments, he won the ''Friend of Agriculture Award'' three times since 2004, the ''Labor Man of the Year Award'' in 2010, and countless other awards and recognitions.

Having served with him since I was first elected into Congress, I am truly honored to have worked with such a dedicated and passionate member of the House. I am grateful to call Congressman COSTELLO my friend, and I wish him the best in his future endeavors.

Mr. BOSWELL. Mr. Speaker, I rise to pay tribute to a great colleague, a wonderful Member of this House, and a very dear friend, Congressman JERRY COSTELLO.

I have had the great privilege of serving with JERRY COSTELLO on the House Transportation and Infrastructure Committee since I've been in Congress. Over the years, I have learned so much from JERRY and have enjoyed our partnership on the Committee.

During his twenty-four years in Congress, JERRY has been a passionate advocate for his constituents and improving the transportation infrastructure in the Illinois 12th Congressional District. As the Chairman and Ranking Member of the Aviation Subcommittee, he has been a tireless champion of general aviation and modernizing our aviation system. His effective leadership and extensive knowledge of these issues have led to countless infrastructure improvements in his district and state.

JERRY's commitment to service extended beyond Illinois. When visiting my home state of Iowa, JERRY took the time to meet with some of my constituents to understand the transportation needs of our state and see how potential investments would affect our communities. He took the concerns of Iowans as seriously as those of his own constituents and made certain that these concerns were addressed in Washington.

I will greatly miss working with him, but I wish him and his family my very best wishes for a very bright future.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor a cherished colleague and dear friend in the U.S. House of Representatives, Congressman JERRY COSTELLO. After more than twenty-three years of dedicated public service, Congressman COSTELLO will be retiring from the U.S. Congress. Congressman COSTELLO is a true statesman, and he will be sorely missed.

Congressman COSTELLO is a stellar example of the commitment needed to be an effective public servant. He began his public service at an early age, working in law enforcement while attending college. He has built his career on bipartisanship and dependability, and has always kept the needs of his constituents and the American people foremost in his mind and close to his heart. Congressman COSTELLO is a devoted family man, who treasures his wife, Georgia, their three children, and eight grandchildren. His compassion has given Congressman COSTELLO a unique perspective, making him that much more effective as a Member of Congress.

I have had the distinct pleasure of working closely with Congressman COSTELLO on both the House Committees on Transportation and Infrastructure and Science, Space, and Technology. He is an effective legislator, and has shown an unwavering commitment to furthering scientific research and building our Nation's infrastructure. Having served both as Chairman and Ranking Member on the Aviation Subcommittee, Congressman COSTELLO continues to work with his colleagues on a bipartisan basis to improve the safety and innovation of the aviation industry.

Mr. Speaker, the bonds that we form with our fellow colleagues in Congress are unlike anything else, and the friendship Congressman COSTELLO and I have developed over the years is very special to me. The House of Representatives is losing a distinguished colleague, and the constituents of the 12th District of Illinois are losing a loyal advocate. I have immense respect for Congressman COSTELLO. I will miss him dearly, and I wish him and his family all the best in their future endeavors.

Mr. SIRES. Mr. Speaker, I rise today to honor the distinguished career of JERRY COSTELLO. In this vast body, JERRY is well known and admired by Members on both sides of the aisle. Republicans and Democrats alike have praised his tenure since JERRY announced retirement last October. He has served since 1988 and I have had the pleasure of sitting with him on the Committee on Transportation and Infrastructure for nearly five years.

Serving four years as Chairman of the House Aviation Committee, and now as the Ranking Member, JERRY has been able to drive sound policy to make sure that America's skies are safe. JERRY wrote and played an instrumental role in passing legislation to reauthorize the Federal Aviation Administration. As a member of the Transportation and Infrastructure Committee, he helped write national highway bills and secure $150 million for the Mississippi River Bridge in his district. JERRY gets the job done and I have been enriched by sitting on the Transportation and Infrastructure Committee with him.

JERRY has been a true and effective advocate for Illinois's 12th Congressional district. His list of accomplishments is long and he truly cares about protecting the interests of his constituents. For example, he was not only able to keep Scott Air Force Base open during several rounds of the Base Realignment and Closure (BRAC) process, but JERRY added 800 jobs. The base is Illinois's largest employer south of Springfield.

While the halls of Congress and particularly the Transportation and Infrastructure Committee will be less bright, I know that JERRY will find joy in his next journey back home in Illinois. I wish him and his family all the best.

Mr. HOLDEN. Mr. Speaker, it is with great appreciation that I rise today to remember and honor the congressional career of my good friend, JERRY COSTELLO. JERRY and I have served together for the last twenty years.

Not only do I consider JERRY a dear friend, but he is also a mentor. He was there to provide sound advice and tutelage when I joined the Transportation and Infrastructure Committee in the 105th Congress. He is widely seen as a leader in Congress on transportation issues. JERRY and I also worked closely together on matters concerning the people of Ireland. JERRY never forgot his ancestral roots in trying to better the lives for the Irish.

It wasn't only in matters before Congress that JERRY provided guidance, but also in life. I had the great fortune of sharing the same travel agent as JERRY which has enriched my life greatly.

JERRY, you will be greatly missed in this body and Congress will greatly miss you. I wish you all the best in your next endeavors and know you will bring your pragmatic approach to the task at hand.

Mr. Speaker and fellow colleagues, please join me in celebrating my dear friend, JERRY COSTELLO.

Mr. CLAY. Mr. Speaker, I rise today to honor my great friend and colleague, the distinguished senior member from Illinois, Mr. COSTELLO, as he prepares to retire at the conclusion of the 112th Congress.

Congressman COSTELLO has been a trusted friend and mentor to me for the last twelve years.

When I first arrived as a freshman Member of Congress in 2001, Congressman COSTELLO was here to greet me and guide me along the right path.

And over the years, I have continued to rely on his good advice and wise counsel.

His departure is a great loss for the State of Illinois, the citizens of the 12th district, and the St. Louis regional delegation.

For the last twenty-four years, Mr. COSTELLO has been a tireless advocate for southern Illinois and metro east.

He has been a champion for rebuilding and enhancing our transportation infrastructure.

The magnificent new Mississippi River Bridge that is currently under construction will be a powerful symbol of his legacy of leadership.

Congressman COSTELLO has also been the patron saint of Scott Air Force Base—the largest employer in southern Illinois.

Our region, and indeed, our nation are stronger because of his continuous efforts to preserve and expand this vital national defense asset.

Mr. Speaker, I consider it a great blessing to have had the opportunity to serve with Congressman COSTELLO and to call him my good friend.

I honor him for his service to his state, the St. Louis region and our nation.

And I salute him on a remarkable congressional career.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to honor one of this body's finest members, Congressman JERRY F. COSTELLO, for his long-time service to the Congress.

Mr. COSTELLO has worked on behalf of the people of southern Illinois for more than 24 years, passionately bringing their concerns with him to Washington and diligently partnering with his colleagues to get the job done.

Beyond his service to the people of Illinois' 12th District, Congressman COSTELLO has been a steadfast leader for our nation's transportation infrastructure. He was instrumental in the creation of national highway bills that have become the groundwork for a more prosperous America, and a tireless advocate for aviation measures that have made our skies safer and our airlines stronger.

It has been a privilege to serve in this House with Congressman COSTELLO, and I am proud today to stand with my colleagues and pay tribute to his distinguished career and leadership. We salute a gentleman who has

made a positive impact on the lives of those he has served, and who leaves a legacy worthy of this institution. I wish him, his wife Georgia, and his family well on their future endeavors.

Mr. RAHALL. Mr. Speaker, it is my distinct honor to rise and salute my friend and colleague, the distinguished gentleman from Illinois' 12th district, JERRY COSTELLO, as he prepares to conclude 24 years of service to his country and the people of southern Illinois as a Member of the House of Representatives. I have worked with JERRY regularly over the years on a number of bills and issues, but he and I collaborated especially closely these past two years on the Committee on Transportation and Infrastructure as we worked to pass a long-term Federal Aviation Administration (FAA) reauthorization bill. And at every juncture, I never failed to be impressed by his earnest and apparent desire to do right by his constituents and the American people.

JERRY first came to Congress as a freshman Member of the Illinois Delegation after his election in 1988, but, even before he took the oath of office, he had already distinguished himself as a faithful public servant of the people of Illinois through his service in the state court system and then as chief executive of one of Illinois' largest counties. JERRY came to Congress—and this was apparent to me from some of my earliest collaboration with him—with a strong sense of duty to his constituents and to the public at large. For 24 years, this has been reflected in the strong spirit of bipartisanship in which JERRY works with our colleagues across the aisle. He finds compromises where others cannot.

Whether working with JERRY to advance clean coal or to make our aviation system safer and stronger, I always got the sense he was practically an expert in the subject matter. And, indeed, he was. In 2007, he was instrumental in helping write and secure House passage of a $68 billion FAA reauthorization. He worked to pass the bill again in 2009, and he negotiated tirelessly with the other body to enact a final bill before the clock ran out last Congress.

Moreover, in the aftermath of the tragic crash of Colgan Flight 3407 in 2009, JERRY wrote and worked in a bipartisan manner to pass an airline safety bill that called for the strongest aviation safety improvements in more than 40 years. The bill made sweeping airline safety and pilot training reforms that have made the traveling public safer. JERRY's vision, knowledge, and leadership resulted in those reforms becoming law.

This Congress, JERRY and I worked very closely as we negotiated with our House and Senate colleagues on a long-term FAA bill. Before that process began, there were probably some who thought "slots" are something you might find in Vegas or Atlantic City. But JERRY would patiently explain the other type of "slots" that loomed large over the FAA bill: slots for airlines to fly to Washington National Airport. Explaining slots—or any complex aviation issue, for that matter—JERRY would boil down years of legislation, rulemaking, and airline mergers and bankruptcies into a few simple words that reflect his good Midwestern common sense.

When JERRY retires at the end of this Congress, we will lose the benefit of his institutional memory, his knowledge of aviation issues from top to bottom, and his bipartisan approach to solving problems and finding common ground. I have no doubt that JERRY's family—his wife, Georgia, his daughter and two sons, and his eight grandchildren—are looking forward to having him closer to home for longer periods of time. On behalf of my colleagues, I would like to thank them for sharing JERRY with us for these 24 years. His good work has made a tremendous difference not only for the people of his district, but for every American who flies, drives, or takes a train in this country.

Mr. Speaker, with great admiration, I salute my friend as he prepares to retire from this body, and I join with my colleagues in extending to him every best wish in his future endeavors.

GOP DOCTORS CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Michigan (Mr. BENISHEK) is recognized for 60 minutes as the designee of the majority leader.

Mr. BENISHEK. Mr. Speaker, as many of you may know, before coming to Congress, I was a physician in northern Michigan for nearly 30 years, and tonight I want to spend a little time talking to you about Medicare, the President's health care bill, and just health care in general.

In practice, many of my patients were on Medicare, and I know how important medical care is to our seniors. It's an important part of their ability to take care of themselves as they get older. Really, the reason I'm here today is to explain that the GOP and the Republicans want to preserve Medicare for our current seniors and for the youth that are coming up because right now the way Medicare is organized, the trust fund will be out of money within 10 to 12 years. Different accountants have different numbers. But basically, unless we do something, we're going to run out of money. We just don't want that to happen. I want to see people still have access to their care.

In discussing this issue, it seems as if we've been attacked for trying to end Medicare. But if you see that there's a problem with a system that is running out of money and you don't want to address it, that's just not right.

The Doctors Caucus in the House is 18 physicians, nurses, and dentists that represent different areas of the country, and we have a good understanding of health care as it exists right now in America. Certainly, there are problems with health care and access to it. And although we have great health care in America, the problem is it's too expensive. Frankly, the President's health care bill makes it more difficult to keep Medicare viable. Those are a few of the things I want to talk to you about this evening, just touch on to let you understand what I think about how the system is working and how we can improve it.

I don't think it's a partisan issue. I think it's something that we need to discuss. Frankly, I just don't think that some of the people that have passed these laws in Congress really understood what they were doing. They admitted the fact that they passed the bill without really knowing what was in it. I just don't think that's really a good idea.

What is really the problem with Medicare? The problem is that the population of our country is changing. There are more older citizens than there were; in other words, there are 10,000 new Medicare beneficiaries being added each day. Right now, a little over three people are paying into the system for every person that is collecting. Because of the large numbers of people that are being added to the roles, within a few years there are only going to be two people paying in for each person collecting. That creates a problem in the fact that there are not as many people paying in as are receiving benefits. With the cost of health care going up, it makes it a fiscal cliff.

The other big problem that we see with the Medicare situation is the fact that the President's health care law, in order to pay for it, takes $700 billion out of Medicare. That's a lot of money to take out of Medicare and still expect it to provide care for our seniors, more and more of which are coming on to it every day. I think that there is certainly some waste, fraud, and abuse that can be eliminated, and that will help, but it's just not enough. We have to change the system.

The system that I think we should change to, frankly, is the system of PAUL RYAN and Mr. WYDEN of Oregon, who brought together a program where we can put some changes in for those people under 55 that will allow them to choose between different private insurance plans similar to what Federal employees and Members of Congress have. These private plans would be inspected and reviewed by the government to be sure that they're adequate and give people some flexibility in how they spend their money.

One of the problems I see with Medicare is that the government ends up deciding how to spend the money rather than the patient. The patient, to me, is the one whose money it is. The people who are spending the money should be the ones who are deciding how it's spent, not some government person or bureaucrat in Washington.

Show me the slide on the $700 billion. I just want to show people the slide that demonstrates what's happened to this money. I represent the northern half of Michigan. We have many small towns and small hospitals in my district. Every little town has their community hospital, and it's hours sometimes to the next facility.

□ 1820

This slide here shows the $716 billion coming out of the Medicare program, and $294 billion of that money is payments to hospitals. The President describes the Medicare cuts as cutting waste and overpayments to providers.

Well, these hospitals are the ones that are providing the care; and as a doctor, I'd be a provider as well.

But when you cut $294 billion from our local hospitals, I know, I served on the board of a hospital. Our hospitals are operating at a razor-thin profit margin. They have to stay in the black, otherwise they go out of business. They can't make their payroll. We've recently had a hospital in our district go bankrupt because of their problems with payments from Medicare.

This is going to continue to happen as we go forward if we allow this President's health care bill to continue with $156 billion cut from Medicare Advantage, $111 billion to be cut by IPAB and other provisions, $66 billion cut from home health care agencies, $39 billion cut from skilled nursing, $33 billion from FFS Medicare providers and $17 billion from hospice care.

These are crucial programs for our seniors. With more and more seniors coming into the program, how are they going to be provided care with less money? I don't see it happening.

What's going to happen is there are going to be fewer hospitals, fewer places for patients to get care, so it's going to be difficult; and in my district we may have to travel hundreds of miles to get seen. I think it's pretty darn scary, to tell you the truth.

Dr. HARRIS, another member of the Doctors Caucus, is here with us tonight. He's from Maryland, and he's an anesthesiologist.

Mr. HARRIS. Will the gentleman yield?

Mr. BENISHEK. I yield to the gentleman from Maryland.

Mr. HARRIS. On those lists of questions of those $716 billion that's basically going to be transferred from the Medicare program to pay for the President's new health care reform bill, that doesn't even include the over $300 billion to cuts in physician and provider payments over the next 10 years under the payment form; is that correct?

Mr. BENISHEK. That's right.

Mr. HARRIS. So it's in addition to that $700 billion. There's another $300 billion that's going to get cut from payments to providers. Here's the problem. You know, I think the gentleman from Michigan points it out.

Medicare is going broke, and it's going broke not only because $700 billion was taken out of it to pay for the President's Affordable Care Act, but another $300 billion is going to be taken out in the physician payment formula.

Now, the CMS actuaries, and that's the department that runs Medicare and Medicaid, actually projects that the Medicare program could be bankrupt as soon as 2016. Four years from now, the Medicare program could be bankrupt.

Now, I'm glad that as part of November's elections we're going to discuss the future of health care for our seniors, because it is time to say that the emperor has no clothes. Our seniors know it.

They know that when, God forbid, their physician retires, and they go and try to find another physician, and they're on Medicare, they already know how hard it is to find a physician who can accept them because the reimbursements are already so low.

The payments to physicians are so low already, it's hard to find that primary care doctor. It's hard to find that specialist who needs to take care of you, whether it's for your blood pressure or your diabetes or whatever problem you have; and the problem is only going to get worse.

Now, the President in his budget doesn't deal with it at all. He pretends that Medicare will go on forever and ever just the way it is now. That's just not true.

The Centers for Medicare & Medicaid say it could go broke in as little as 4 years. The Medicare actuaries give it the longest lifetime, 10 more years.

Well, Mr. Speaker, if you're 55 now, that means by the time you're 65, it's broke. If you're 61, according to the Centers for Medicare, it's broke by the time you reach age 65. And if you're on it now and you're 70, it could be broke by the time you're 74.

So we have to stop pretending that the Medicare program is going to work forever the way it is now. It won't, because the President took $700 billion from it to pay for the Affordable Care Act. There is a scheduled cut to physician payments and to provider payments of over $300 billion over the next 10 years, and our seniors are already having problems finding those physicians.

But in the Medicare costs, if we don't do anything right now, we don't deal with the program and adjust it for people who are younger—and I have a son who is 27 years old. He is an accountant. He knows numbers, and he knows them backwards and forwards and up and down, better at math than I ever was. He's convinced he will never see a Medicare program because he's seen the books.

Medicare payments are projected to grow substantially from approximately 3.5 percent of our economy to 5.5 percent of our economy by 2035, and the President has no plan to pay for that growth. We know because of the maturing and retiring of the baby boom generation that this is coming.

This is predictable. We can project this. We know that if we don't change the Medicare program to preserve it for future generations and to keep it for the current generation of Medicare recipients, it goes broke. As I mentioned, the physician payment formula in Medicare needs to be fixed or, starting January 1, payments to physicians and providers may go down 30 percent.

Now, Mr. Speaker, if our seniors think it's hard to find someone to take care of them now on Medicare, what do they think it's going to be like when the government says to those physicians, we're going to pay you 30 percent less starting January 1, and this is all scheduled to happen.

The President has no plan. The President suggested no ideas to Congress on how to deal with that. What we need is leadership on health care, and we're not getting it from the other end of Pennsylvania Avenue.

Already access is an issue because back in 2008, 12 percent of physicians have said they have to stop seeing Medicare patients. We know now that a much larger number limit the number of Medicare patients they care for.

As the gentleman from Michigan knows, we didn't go to medical school to not take care of patients. We didn't go to medical school to have our staff answer a senior calling to say, I'm sorry, but we can't afford to take care of you. But that's exactly the position that the President's plan for Medicare is putting physicians and patients in right now. That's the sad fact.

This emperor has no clothes. The Medicare program is on a path to bankruptcy, and there is no plan from the White House to solve that problem. It merely kicks the can down the road.

We have heard a lot in the last few days and few weeks about Simpson-Bowles coming to the rescue. That's going to solve our fiscal problems; if we just adopt the Simpson-Bowles Commission, all our fiscal problems go away.

Mr. Speaker, as you probably know, Simpson-Bowles decided not to do anything about Social Security and Medicare.

Now, Social Security, it turns out, is pretty solvent. It's going to be there for at least another 20 years, giving us a fair amount of time to solve the problem for future generations. But, again, the Centers for Medicare says we may only have 4 years to solve the Medicare problem before it goes bankrupt.

If our seniors right now think they have problems now getting their health care and finding those primary care doctors and those specialists to take care of them, imagine when the program goes bankrupt.

Now, we have a choice. We can deal with it, or we can kick the can down the road. I'm proud of the Vice Presidential candidate, one of our colleagues, Mr. RYAN, who has decided that the time to kick the can down the road is over. It's time to tell our seniors and Americans what they suspect.

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We've been making promises we have no way of keeping. We have been spending money we don't have. And it has to stop. And as the gentleman from Michigan knows, we have some principles in our plan to deal with the bankruptcy of Medicare because, Mr. Speaker, it's not a question of if, it's only a question of when.

So there are a couple of principles. The first principle is: we don't change it for anyone over age 55. If you're in retirement or you're near retirement, you get to keep the very same program right now. But we deal with the fact that physician and provider pay would

be cut January 1. We solve that problem. We say you can't do that. That will limit access. So we deal with that issue. We say you have to stop taking $700 billion from the program to transfer it to pay for the new President's health care reform; to cover Americans who don't have insurance now by taking it from Medicare patients who do have insurance.

So the first principle, no one over age 55 is affected. The second principle is: for those under age 55, Mr. Speaker, if they're listening now, the program is going to be bankrupt when you reach age 65 if we don't do something. We're going to make some commonsense adjustments. We're going to say that you should have access to the same kind of care Congressmen and -women have—a broad range of health care plans you can choose from with the guarantee that for at least two of those plans you will have 100 percent coverage.

We all turn on the TV. We hear the ads: Mr. RYAN's plan will cost $120,000 for every senior, or $200,000 in more costs. Here's the problem. People who made the ads didn't read the bill. The bill spells it out quite clearly. Our plan is that seniors—again, people age 55, when they reach age 65—will have a choice of plans just like we have here in Congress. The only difference is we have to pay a part of all our plans. They don't pay for the two lowest-priced plans. If they choose a plan with more options, they may pay something. But they will end up paying even less than they do now.

That's our solution. Let market forces come in and control the cost of health care, control that growth in cost, and allow real coverage for our seniors, for our people age 55, when they reach age 65, and preserve it for future generations so that my son, the accountant, can look at that plan and say, You know what? This balances. You don't have to borrow money from the Chinese to pay for this plan. We don't have to raise taxes to pay for this plan. We actually let market forces work, providing the same coverage that people in Congress get. And it will work.

So, Mr. Speaker, I'm very glad that we have the opportunity to talk about this tonight. I'm very glad that this November and in the months leading up to it we'll have an honest, frank discussion with the American people about the future of health care, the future of health care for our seniors, preserving it, and the future of health care for everyone else under the President's affordable care scheme. Because we know there are problems with it. Americans understand that when you put the government in charge of something so vital and personal as health care, real problems can occur. And as the gentleman from Michigan has pointed out, we know those problems. They're predictable problems. A majority of Americans have figured it out. Poll after poll after poll says we should deal with the President's Health Care Reform Act by repealing it and replacing it, keeping elements that are good.

Every American either has a preexisting condition or will have one in their lifetime. Every American. So our plan will have to deal with it. And it does deal with it. And for those people who want to have their children on their policies up until age 25, our plan can deal with it—and does deal with it. But we certainly don't need the Independent Payment Advisory Board, which the gentleman from Michigan is going to discuss, that is going to run health care for Medicare. We certainly don't need the Secretary of Health and Human Services prescribe what plans are going to cover what for every single American. Whether you want it or not, you're paying for it in your plan. Because we know that's only going to drive up the cost.

I'm glad that we're going to have that discussion with the American people because, Mr. Speaker, every American's health care is so important to them and their family. They deserve this discussion. They deserve the chance to go to the ballot box this November and make a choice about what their health care is going to look like in the future. And we're going to have a clear choice. It's going to be a government-run health care plan run by a bureaucrat where costs and access are controlled and rationed, or it's going to be one where the patient and their physician make the choice about their health care, with the government bureaucrat staying out of it, where they belong.

I thank the gentleman from Michigan for yielding.

Mr. BENISHEK. Thank you. I truly appreciate my colleague from Maryland taking a little time to be with us tonight and give us his insight as a physician here on the floor.

I would like to say a few words about IPAB. This is the Independent Payment Advisory Board. This is the mechanism that Mr. Obama's health care plan has for controlling costs. And really, what it is, it's 15 appointed bureaucrats, each making $165,000 a year, with no congressional oversight, whose only purpose is to reduce Medicare spending. So if the Medicare budget goes up too much and is over the limit, these guys in Washington are going to decide what to cut. They're going to decide if you deserve a PSA prostate test or deserve a mammogram or you deserve a colonoscopy. They're going to decide that they may not pay for that. If we don't act, this board could being making these kind of decisions as soon as 2015. Denial of payment for care is going to really lead to denial of care for our seniors. I don't think it's fair for these Washington bureaucrats who know nothing about the patient to be making these decisions.

I'm used to taking care of patients, and sometimes we have to make some really difficult decisions. But those decisions have been made between the physician, the patient, and the family, not some bureaucrat in Washington who doesn't know the patient and can't decide if this patient really qualifies for care and should not be denied. So I just think it's so wrong to allow bureaucrats that don't know the patient to be making these decisions, and I just want to make sure people understand the seriousness of this. There's no appeal from this board. There's no getting somebody off this board once they're appointed. It's really unbelievable.

Tonight, also, I have the pleasure of being joined by my colleague from New York, a nurse, Ms. BUERKLE of New York.

Thank you for joining us.

Ms. BUERKLE. Thank you very much to my friend and colleague from Michigan. Thank you for having this Special Order tonight. And I think it's so critical, Mr. Speaker, when the Docs Caucus has this event, and the people who are speaking are people are passionate about health care. Many of us actually came to Congress because we were so concerned regarding the Affordable Care Act. I spent my life as a nurse and later on as an attorney who represented a large teaching hospital. And so I am passionate about health care. As my colleague before me mentioned, there's nothing more personal than one's health care. And this Nation has the highest quality of health care, and we want to make sure we maintain the standard that we have.

I don't think anyone would disagree, Mr. Speaker, that this country needs health care reform. And while this law may have been the most well-intentioned, I disagreed with it philosophically when I decided to run for Congress. But now that I'm in Congress and I have had the opportunity to talk to so many folks in my district, this law, this Affordable Care Act that was supposed to decrease the cost of health care and increase access for Americans, is not going to do that. And let me, if I could, talk just briefly about what is going on in my district.

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My district is heavy with ''eds and meds,'' we call it. We have a lot of hospitals in my district, and they're the major employers.

Now, the hospitals have spoken to me. They're concerned because this Affordable Care Act, this ObamaCare law, will decrease the amount of disproportionate share moneys they give because they treat a population of patients who may not have insurance or who are underinsured. So they're concerned about their fiscal, their financial integrity. Those are the hospitals. Those are providers.

The Affordable Care Act doesn't address the SGR fix, the Medicare reimbursements for physicians. So I've got physicians who are concerned. It also creates a scenario where we will not have enough primary care physicians, internal medicine, psychiatry, those types of physicians who can even

render the care. So the providers are concerned, the actual people and facilities who render the care. They're concerned that this law is going to adversely affect them. That's my first concern.

My second concern are my seniors. And in all of this discussion and debate, I think the most disingenuous discussion that's going on out there is the denial as to what this law will do to seniors and their Medicare coverage. I think my colleague ahead of me talked about the moral obligation we have to our seniors. We have a contract with them that when you retire, when you turn 65, Medicare, you've paid into it all your life, and you will be able to have that benefit.

But this law, this Affordable Care Act, cuts Medicare by $716 billion. Now, there's no program in the world that will not be affected by the loss of that much funding and the funding that's being taken out of Medicare, and it's going to be used to fund the rest of the entitlement in this law.

So seniors really need to understand the threat to Medicare as we know it is this Affordable Care Act. And it has changed Medicare as we know it for our seniors, and this law will affect everyone who's on Medicare.

The discussion about the Ryan budget and the budget we passed out of the House, that discussion is only for those who are 54 and younger. So anyone who is 55 and above, with the Republican proposal for Medicare, can take a deep breath and they can say, My contract with this country, my benefit through Medicare will not be touched, and I can rely and count on that. That's a very important promise that we can make to our seniors.

But this Affordable Care Act can't make that promise to our seniors because it is cutting Medicare, and as my colleague from Michigan talked about, this IPAB board will also affect the kinds of services that our seniors receive.

So every American, especially our seniors, should be concerned about this law that is in place that will go into effect in 2013 and 2014.

So, we've heard from the hospitals and the physicians. They're not happy with this law. We've heard from the seniors. They're not happy with this law.

I hear from my businesses, my small businesses, those entities that we're trying to get this economy going, and they're concerned because they don't know how this law is going to affect them. They don't know whether or not they're going to have to pay the penalty or pay the tax. They're very concerned because of the uncertainty this creates in their businesses. So, they sit on cash and they don't invest and they don't hire. So my small businesses don't like this Affordable Care Act.

Now, just recently, and we've had a lot of debate about the tax on small medical devices that will occur to any small medical device producer in the country. Now, that's a niche sort of industry. It's one of the only sectors of the economy that has grown. It requires R&D. It requires innovation. It requires real creative production of small medical devices.

I have a well-known company right in my district, and on Monday of this week, they announced that they will cut 10 percent of their workforce directly related to two things. The first is that 2.3 percent excise tax on small medical device producers. Ten percent of that workforce will be done away with because of this Affordable Care Act. The other reason they are cutting their workforce is because of the tax and also because of the fact that, with this Affordable Care Act, hospitals and physicians are not buying new equipment because they, too, are uncertain as to what the Affordable Care Act is going to do to them and their business. So they're not buying new equipment for their hospitals and their offices.

So, now we've got seniors, hospitals, physicians, small medical device companies, businesses very concerned as to how this law is going to affect them.

The Court ruled that it's a tax, and that's why it's constitutional. There's 21 new taxes in this Affordable Care Act. It's going to affect our jobs and our economy. It's going to affect our small businesses. It's not the right direction for this country. Only the practical listening to people over and over again in the district puts that out very, very clearly.

So I think the right thing to do for this Nation—and this House, I'm so proud we have voted to repeal this law twice. We also voted in June to repeal the tax on small medical devices. That's the right thing to do.

The responsible thing to do is enact true health care reform that will really reduce the cost of health care, that will allow patients choice, that will allow them to cross State lines to buy their insurance. It will allow them to keep their insurance even if they lose their job. It will have tort reform in it and bring down the cost of health care. It will repeal the excise tax on small medical devices. It will keep the good pieces.

The two things I hear over and over again: preexisting conditions—and my colleague from Maryland mentioned it. Preexisting conditions, along with keeping your child on your plan until they're 26. Those two could certainly be incorporated in a new truly reformative health care law in this Nation.

So I thank my colleague from Michigan for all of his good work, for his dedication to the health care profession. I'm proud to be a member of the Docs Caucus because we are a group of people who have committed our life to health care. We are passionate about making sure that the United States of America maintains its high quality of health care and also keeps costs and accessibility to the highest standard for the people who live in this country.

Mr. BENISHEK. I thank my colleague from New York for joining us this evening. I appreciate her insight.

I just want to say a couple more things about this tax that she mentioned on medical device manufacturers.

You know, in my district as well, we have a couple of companies that make the drills for orthopedic surgeons where they put in the screws and that sort of thing. This tax is, I think it's a 2.3 percent tax, not on their profits, but on their gross. So even a small startup company that's trying to innovate, which we have in my district, and create a new device that will help people with care, even if they're losing money, they have to pay the tax on any gross receipts they have. That, to me, is like the most regressive part of that tax.

Besides that, it's forcing our medical innovators to move their companies overseas. I mean, you know, people aren't stupid. They realize that if they're going to be taxed here in this country even though they're losing money, they're going to move that manufacturing capability to Europe, and that's already been happening.

So this law is taking the medical innovators in this country—and everyone knows this country has been leading the way in the world in medical innovation for the last hundred years. It's forcing those people to go overseas to do business. That's not good for America. That's taking highly skilled people and asking them to go somewhere else to do business because we have a bad climate for that.

I want to talk just a little bit longer this evening about some real health care reform.

I mean, as I mentioned, the President's health care bill doesn't fix the problem with health care. The problem with health care is it's too expensive. This bill doesn't make it less expensive. It's becoming more expensive. When Medicare runs out of money, the way they're going to fix it is by decreasing payment to the hospitals and doctors that are providing you with care, so they're not going to want to take care of you either.

So let me just talk a little bit about a couple of, I don't know, commonsense ideas that we're talking about on this side of the aisle.

The first of those is health care insurance. I mean, the problem with insurance is it costs too much. So, what can we do to make it cost less? Well, I mean, I like to compare the difference between health insurance and car insurance.

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In car insurance, you can choose from a thousand different companies in this country from Florida to California to Wisconsin to Michigan and pick a company that suits your needs, and if you don't like that company, you switch to another company.

Right now, employers control most of the health insurance. We need to

have a plan that, number one, gives the individual control over their health insurance so that you can pick a health insurance policy that you like even if the employee next to you chooses a different policy. Why should it have to be the same? Why should you have to carry insurance for acupuncture if you never use acupuncture? Some States actually mandate the coverage of acupuncture. This is why insurance costs so much.

Your car insurance does not pay for an oil change. It does not pay for new tires. It does not pay for routine, small expenses that you can expect because that's not what insurance is for. Insurance is for a catastrophic event. If you want your car insurance to pay for oil changes and new tires, it's going to cost a lot of money because that's not the purpose of insurance. The purpose of insurance is to protect you from a catastrophic event.

That's why the Health Savings Account is an important component of free market health care reform because then you have—for example, say you're working for somebody; instead of paying your health insurance, your employer pays into a Health Savings Account, which is then your money to use for health care. And it comes to you tax free, so you're not paying any taxes on it. It would be the same as if your employer was paying for a health insurance policy for you.

So with that money, then, you could be paying for your routine health care out of that. Now, this is money in your account now, so you may want to choose how you spend that a little carefully because that money is in your Health Savings Account, that's money that belongs to you now, and you can use that any way you want for your health care. Or maybe if you don't even use it all, that would be there for you in your estate once you die for your children. So you want to be careful with that.

So when you're going to go get an MRI for your shoulder, you may not just go to the place that your doctor may recommend, you may shop around for an MRI. Because I know, for example, that at some places you can get an MRI for $2,500, at another place you can get an MRI for $600, the same MRI. Unless you actually kind of look around for it, you're not going to be able to find that deal. You're not going to even know about it because right now you don't even care about it perhaps because your insurance pays it and you have a copay that doesn't affect you. But if you're taking this money out of a Health Savings Account, you're going to be shopping more. That's the power of transparency in cost.

So, looking around to see where you can save money to keep money in your Health Savings Account, and then shopping for insurance that suits your needs, not the needs of the person next to you, but suits your needs so that you may choose an insurance company, like for your car insurance, that differs from our neighbor's but suits you just fine. You may have Chevrolet insurance or you may have Cadillac insurance, but it's your choice. Those are just two things that I think would really diminish the cost of medicine and not involve taking over everything by the government and actually decrease costs.

The other thing that nobody really talks about much in the cost of medicine is the cost of malpractice. Malpractice is something that doctors can be very uncomfortable with, but sometimes injuries do occur. Is it a good result for a patient who's been injured to have to go to court for 5 or 6 years and then have to pay fees for attorneys of 50 to 60 percent of the judgment after 5 or 6 years in court? Is that justice for an injured patient? Frankly, it's not something that doctors want to see.

Doctors want to see, if there is actually an injury, let's have it dealt with in a reasonable fashion. Let's have it adjudicated in an administrative law situation when there has been an injury. A panel of people can decide, yes, there has been actual injury, let's make a judgment, and let's give that patient a judgment, and let's get it done with within several months. That would be better. It would eliminate the entire cost of a trial, the attorney fees and all that, and physicians would like it. Patients would like it, I think, because it would give them speedier access to justice. I think that by doing that we would eliminate a lot of the extra costs that come into medicine.

Right now, if you come into the emergency room for something, a pain in your belly, you're going to get a CAT scan pretty much automatically because the doctor is afraid of being sued. And it doesn't cost him anything, it doesn't cost the patient anything, he's going to order a CAT scan, he's going to order the x-ray, he's going to order a lot of tests just to protect himself. These are some of the hidden costs of malpractice that people don't really think about. They just think about the cost of malpractice as simply the cost of the doctor's insurance, which can be expensive.

Right now, different States will have different abilities to attract physicians because they have different means of dealing with malpractice. But I think that for the patient, really, we need to have a better system where they get compensated faster and with less aggravation than the system we have now.

So, I think the main thing that we're talking about on this side, we talk about health care reform, is to talk about having a conversation with the American people. Maybe you don't agree with some of these ideas on how to make our health care system better and more efficient. Well, I can understand that. Let's have a conversation. Let's decide how we can do it better.

Let's try a pilot program in one State. Let's allow States to experiment in how to do things. Let's not write a bill of 2,700 pages in the middle of the night that nobody read and then put it on the American people and say it's going to be great, but we don't know what's in it because we haven't read it, and then go through the next 2½ years realizing that it's a mistake. I mean, there definitely needs to be room for improvement in our system, but can't we have this conversation in an open fashion? I think a lot of people even on the other side would realize that, hey, we made a mistake, but isn't it more important to admit that we made a mistake and try to move forward in a fashion that actually cuts cost? We see it's not cutting costs. It's been devastating to the American economy.

I've talked to small business owners across my district over the past 2 years and they say the same things again and again: There's regulations cost us money and our health care cost us money; it's going to make us not be able to hire more people.

So I think we've made some real mistakes here in the past, but now is the time to address them and move forward and try to make some commonsense decisions. Frankly, I'm happy to hear from people with ideas. I hear ideas from people all the time in the district that really make some sense and are certainly worth trying out.

So with that, I want to thank the members of the Physicians Caucus that were here this evening for our evening hour, and I yield back the balance of my time.

PROTECT AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, at this time I want to yield to my doctor friend from Texas, a former student of Texas A&M University, as myself, a guy who, as a junior in college when I was a senior in college, helped tutor me to make a 98 on the final exam of our accounting course. I yield such time as he may consume to my friend from Texas (Mr. FLORES).

RECOGNIZING AMERICAN HERO BRIAN BACHMANN AND ALL FIRST RESPONDERS ACROSS AMERICA

Mr. FLORES. I would like to thank my friend from Texas (Mr. GOHMERT) for allowing me a few minutes of his time.

Mr. Speaker, I rise today to recognize an American hero, Brian Bachmann, who served as Precinct 1 Constable of Brazos County, Texas, who was killed in the line of duty on August 13, 2012. Also, with yesterday being the 11th anniversary of 9/11, I also want to recognize first responders all across our country.

As I began to write my reflections for this conversation, which I originally delivered on August 18, the words that kept coming to mind to talk about were the words ''home'' and ''celebration.''

Before proceeding, I want to remind us of the heroes of Texas District 17. Since I was sworn into office on January 5, 2011, the 17th Congressional District of Texas has lost seven military personnel: Sergeant Scott Burgess; Staff Sergeant Bryan Burgess; Sergeant Edward F. Dixon, III; PFC Jesse Dietrich; Lieutenant Colonel David Cabrera; Captain Nathan Anderson; and Lieutenant Colonel Roy Tisdale.

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In addition, we have lost two law enforcement personnel during that time, Deputy Sheriff Taylor from Johnson County; and on August 13, we lost Constable Brian Bachmann. In each case, God called home one of his children and heaven has been celebrating since each of those arrivals.

Brian and I met in early 2010 when we were both running for our respective offices. Neither of us had ever run for public office before; and even though we came from different backgrounds, we formed a great friendship that endured the rigors of tough political campaigns.

Following our victories, we remained great friends. Each time we were together at various events, we always picked up our conversations where we had left off at the prior events. Most of the time we teased each other in these conversations.

The last time I talked to Brian was the Thursday before he was called home by God. We were both volunteers at the Brazos Valley Food Bank's Feast of Caring. We started out by teasing each other again. He began saying that I must not be a very good politician because I was already having to run again for office, to which I replied, Oh really, Bachmann? From what I've seen, you're the reason we need term limits.

Following that conversation and fellowship, we went back to cleaning tables and serving food. I never appreciated the fact that I wouldn't see him on this Earth again.

This is the Brian Bachmann that I knew, the friendly and always smiling guy who could care less about anyone's title. He was the person that loved our community and would do anything for it. He was the model public servant. However, and more importantly, he was a servant leader who ultimately modeled the words of Jesus in John 15:13 which state: ''Greater love hath no man than this that he lay down his life for his friends.''

I started this conversation by talking about home and celebration. At the end of each week, I jump on a plane and head home from Washington to Texas. That is where I'm happiest. That's where my wife, Gina is. It is close to our sons, our daughter-in-law and our granddaughter. In short, it is the community that I love. I always celebrate those homecomings, and my sense of excitement always builds as the airliner approaches Bryan/College Station.

The same thing happened on the afternoon of August 13. As Brian's situation changed here on Earth, others were preparing his new home. Brian knew this day would come. However, like the rest of us, he didn't know when, where, or how. But because of his relationship with Christ, he knew that he would someday be able to look forward to going to his next home for eternity. God knew all the details about Brian's homecoming, and the celebration started immediately on the afternoon when he left us.

The Apostle Paul reinforces this in 2 Corinthians 5:8, where he says: ''We are confident, I say, and would prefer to be away from the body and at home with the Lord.'' This is the same knowledge that all Christians have. We know that when our human life ends, we will move to our eternal home with God.

At that moment, on August 13, Brian instantly heard the voices of those who had gone before him welcoming him home but, more importantly, the One who loved Brian enough to die for him held out his nail-pierced hands, embraced him and said, ''Howdy, Brian. Welcome to your new home.'' Those same hands and arms embrace and comfort Brian's family and all of us here now.

About 20 years ago, Max Lucado wrote a book titled ''The Applause of Heaven.'' I'm going to paraphrase the last few paragraphs of that book, as follows:

You'll be home soon. You may not have noticed it, but you're closer to home than ever before. Each moment is a step taken. Each breath is a page turned. Each day is a mile marker passed, a mountain climbed. You're closer to home than you've ever been.

Just as when my airline flight approaches Bryan/College Station each week, before you know it, your appointed arrival time will come. You'll descend the ramp and enter the city. You'll see the faces that are waiting for you. You'll hear your name spoken by those who love you. And in the back, behind the anxious crowd, the One who would rather die than live without you will remove His pierced hands from His heavenly robe and applaud your arrival.

We should be celebrating Brian's heavenly homecoming here on Earth as well. He is another soldier that fought the good fight and gone home where God has told him, ''Well done, good and faithful servant.''

Brian's parents, Brad and Carmen, his wife, Donna, and his children, Sam, Amanda, Colby and Caitlyn, can all take comfort in Brian's homecoming because we know that the cross of Jesus has won again.

Brian's sacrifice should remind us that we're all here to serve. It is my prayer that Brian's homecoming reminds us of all our human frailties and the shortness of our time here on this Earth. I'm hopeful that all of us will have the type of relationship with Christ that Brian did, so we will have similar homecomings with Him in heaven.

Let me close by asking everyone here to pray for and support the Bachmann family. Please pray for our country during these troubled times. Please pray for our military men and women who sacrifice to protect us abroad, and please pray for our first responders like Brian Bachmann who protect us here at home.

Brian, we celebrate your homecoming.

I again thank the gentleman for yielding.

The SPEAKER pro tempore (Mr. HUIZENGA of Michigan). The gentleman from Texas will be recognized.

Mr. GOHMERT. How much time is remaining, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has 25 minutes remaining.

Mr. GOHMERT. Mr. Speaker, it's a difficult day, difficult week in the world. And I appreciate the tribute of my friend, BILL FLORES, for a great American hero.

I also want to pay tribute today to our U.S. Ambassador, Chris Stevens, and the three others who were killed in Libya in the service of their country. We grieve for their families. We grieve for their friends and all who may have come to harm and will come to harm; hopefully, no more, but our thoughts and prayers are with them.

It is important, during times when Americans are attacked on American soil, American buildings are attacked, which is what an American Embassy is, that the world understand that there will be consequences.

For those who sometimes want to ask, well, aren't you a Christian, don't you believe in turning the other cheek? The answer is, yes, individually. But there is a different charge for the government. There is a different charge for the people who have the responsibility of government and protecting the people and their rights.

The United States Government has the obligation to protect our citizens, to protect those who are serving this country, and as far as our military, to give them everything they need to win, whatever it takes, give them rules of engagement to allow them to win, whatever it takes, and then come home.

So it grieves me much, also, to see a time when people are dying, not for a wishy-washy government in Washington, D.C. that can't decide what its priorities are, but for the ideal for which America stands and for what it represents, for what it represents to people who yearn for freedom around the world.

And it does not help when an administration, in response to American attacks on American soil and American individuals, the administration ends up asking Americans to give up their First Amendment rights for which our servicemembers are fighting.

□ 1910

It doesn't help when a general calls an American and asks an American to

give up your First Amendment rights rather than proclaiming to the world, We're the United States military. You've attacked our country. You've attacked our brothers and sisters, and you will pay for that.

When we took an oath to defend the Constitution against all enemies, foreign and domestic, it means that when enemies who are foreign enemies attack on American soil—attack Americans because they're Americans—we have an obligation if they were not protected and they got hurt or killed. We have an obligation to those who would serve behind them—to those who are in this country—to protect them for the future.

That doesn't come when an administration or even a general turns around and says, Hey, I know I took an oath to defend the Constitution against all enemies, foreign and domestic, but we think, by your utilizing your First Amendment rights, it may be offending people around the world, so why don't you just subject your First Amendment rights to shari'a law. So it's okay to burn a Bible. That's okay. It's okay to burn a flag. Okay. That's all right. But just, for heaven's sake, don't say anything that might offend someone of the Islamic religion.

I, personally, don't think anybody should do that, but I certainly do think we should defend ourselves against radical Islamists who want to annihilate this country and destroy our way of life. We have an obligation. We took an oath to do that, not an oath to say: Let's give up the Constitution. I took an oath to defend and subject it to shari'a. No, no, no. Let's give that up so that maybe the people who are killing Americans and the people who are attacking our Embassies won't feel so offended, and maybe they won't kill people.

That is not the role of a general. It's not the role of a general to tell former military members that they should never speak out against a Commander in Chief when, as former members of the military, they're in a good place to be able to judge what's going on. It is and it should be a crime within the military to create problems for good order and discipline by publicly demeaning or condemning anyone in your chain of command. In my 4 years at Fort Benning, we knew that. President Carter drove me crazy with his ineptitude, with his inability to make decisions, to make the tough calls, and in his pathetic handling of the attack on our American Embassy in Tehran for which America still pays in the pathetic way it was handled.

For those of us who have been in the military, there is an obligation when you see the same mistakes being repeated. Since you know that those in uniform cannot step up and criticize the chain of command, we have an obligation to do that, and it is not helpful for anyone with stars on his shoulders to tell former military members, Oh, this is not appropriate for you to criticize my boss. How about the person with stars on his shoulders stepping up and doing the criticizing privately on behalf of the soldiers he is supposed to be commanding and protecting?

There are stories that are coming out. Time will tell. This one is from Fox News today. It's entitled ''U.S. Officials Suspect Strike on Benghazi Post 'Coordinated,' Timed for 9/11 Anniversary.''

U.S. officials are increasingly suspicious that the murder Tuesday of the U.S. Ambassador to Libya, Christopher Stevens, and three other American officials was not the result of a protest against an anti-Islam film, but instead was a coordinated terror strike timed for the 11th anniversary of the September 11 attacks.

A senior administration official told Fox News they are exhaustively investigating every angle of the attack in Benghazi, and an earlier assault on the U.S. Embassy in Cairo, Egypt, and there are early signs the Benghazi assault may have been planned. The official cautioned, though, that the administration has not jumped to any conclusions about what happened, saying it would be ''premature'' to do so.

The article goes on down, and it quotes different people. One is Pete Hoekstra, the former chairman of the House Intelligence Committee, who told Fox News that the attack appeared to have the markings of an al Qaeda or an al Qaeda-affiliated strike.

It quotes him as saying:

''We've been talking for years about the desire of Al Qaeda, radical jihadists to celebrate the anniversary of 9/11. All my background, all of the conversations that I've had over the last 18 hours lead many people to believe that this was just more than a mere coincidence.''

Hoekstra noted that the supposed protesters—purportedly angry over a film that ridiculed Islam's Prophet Muhammad—didn't attack in Tripoli. They attacked in Benghazi, ''where it so happens our Ambassador is.'' And they happened to be ''fully armed and fully equipped,'' he said.

Hoekstra noted that al Qaeda chief Ayman al-Zawahiri had recently released a video calling on militants to attack Americans in revenge for the killing of an operative in Pakistan. The message said his ''blood is calling on you, inciting you to fight and kill the crusaders.''

Hoekstra said the film may have been just a cover to carry out such an attack.

Two intelligence officials also said the attack looked ''coordinated.''

London-based think tank Quilliam reached the same conclusion, saying the Benghazi strike appeared to be a ''well-planned terrorist attack that would have occurred regardless of the demonstration (over the film).''

Also, the brother of Zawahiri was nearby during the separate protest at the American Embassy in Cairo on Tuesday.

There is so much going on, but one of the last things that people ought to do is say it's time to give up First Amendment rights. One of the goals that we know of for the Muslim Brotherhood in the United States within 10 years—it was one of their 10-year goals—is to subjugate the U.S. Constitution to shari'a law. There are great patriots who have called upon Americans to, perhaps, make it illegal to speak out and offend or to do anything that might offend worshipers of Islam without saying the same thing about any other religion whether it's Buddhist, Christian, whatever.

If they have their way and if we make the mistake of curtailing our constitutional rights to avoid offending people who want to annihilate us anyway and who want to have an international caliphate where they rule over us anyway—those they don't destroy—we make a major error. There are those who say there should be no criticism among Members of Congress and people in the government as to the handling by the Commander in Chief, but since we know people in uniform cannot speak out when they see mistakes by their commanders, we have an obligation to them to speak out.

But I do make this pledge to my friends across the aisle that, in any criticism, I will endeavor to ensure that I, personally, do not ever make the kind of wild-eyed allegations against this President that were leveled at President Bush by them.

□ 1920

How quickly some people forget.

Also, I understand this is a political season, it is a time when people are running for election and reelection. We all know that. But we have a friend. We have a prime minister of a friendly nation who has been mistreated by this administration, who deserves better treatment by this administration, who deserves to have this administration and this President keep their words that have been given to our friends in Israel, and it wouldn't hurt to meet with such a leader.

We know that in July that there were people who came to the White House for meetings in the White House, one of whom was a member of a known terrorist organization. That terrorist was allowed into the White House. Obviously, from the hearing we had with the Secretary of Homeland Security, Janet Napolitano, from a response she gave to me, she was ignorant of fact that we had a terrorist going into the White House for meetings. But by the next day when she testified, I believe, across in the Senate, she had become aware that we had a member of a terrorist organization meeting in the White House, and apparently this administration intends to continue meeting with members of known terrorist organizations, from what was said back in July.

And yet, the President—though he had time for meetings with known terrorists—will not carve out a little time to meet with the prime minister of our dear friend Israel at a time when Israel and many in the United States suspect that Iran may be 2 months away from having the nukes to carry out another Holocaust. We don't know the specific days there may be, but it would seem that you wouldn't necessarily need a rocket to have pinpoint accuracy if it's carrying a nuclear weapon. And now that we've seen trouble on the borders

of Israel, all around Israel almost, it doesn't seem it would be impossible to get one smuggled in. Rockets have been smuggled in by the hundreds that are routinely fired into Israel from the Gaza Strip. That's why there was a legitimate legal blockade to try to prevent those types of things from coming into the Gaza Strip, but they came in anyway, and they continue to come in.

We owe our friend, our ally, who this President has pressured, has cajoled, has ridiculed, has snubbed, and taunted by just saying, Trust us, we'll take care of Iran, don't worry about your national security, trust us. No nation should be told that they cannot invoke self-defense when their nation is at risk of being annihilated.

I remember learning in college that President Eisenhower had ordered that people from towns surrounding areas of these concentration camps where, when totaled together, was 6 million Jews that were killed, murdered, tortured, maimed, and he ordered that the people from the towns be required to come help clean up. The reasoning was so that no one could ever say the Holocaust never happened, because they cleaned up the atrocity. I remember thinking that was a little overboard for General Eisenhower. Really, you had to rub those peoples' noses in such horrible affliction? It hasn't been that long ago that I had these thoughts, and now we have people, like leaders of countries like Iran, that is about to have nuclear weapons if we don't intercede, who have said just that the Holocaust never happened, it was a hoax. Unbelievable.

It is unbelievable to me that in a matter of decades since World War II, since that horrible Holocaust, such an indictment against the human race, that people could do that to one race. It's just almost unfathomable that even in Europe, where those atrocities were committed and genocide was attempted, that we would see this growing anti-Semitism raising its ugly head again. And at the same time anti-Semitism is growing even in Europe, a civilized area, an educated area, it grows around the world, as we see people in the Middle East begin to have dreams of a new Ottoman Empire where every religion will be subjected to some of what we've seen happen in those countries where we helped bring about an Arab spring that's turned into a winter nightmare.

This is not a time to play petty personal games, to snub leaders of friends, of allies, even when you disagree with them, for heaven's sake. Take a little time from a fundraiser, take a little time that you don't go to the golf course, and meet with the leader of a country that sees hatred for its people, anti-Semitism, the racism, the bigotry growing around the world, that is scared for its own existence, that can't be sure we're going to be there with them because of the actions of this administration. Take a little time to meet with them. It is an inconvenient thing to have to be President when you are really best at running for office, but take some time and be President and meet with our friends.

The messages that are going out to those whom we seek to make allies for the future is not a good message. The people that have laid down their lives for the American ideal deserve the best we can give them. So on this day when we grieve and our flags are at half mast for the atrocity committed against our ambassador and others, our thoughts and prayers are with the families, and our thoughts and prayers are that our leadership will become what it should be to protect America.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CULBERSON (at the request of Mr. CANTOR) for today until 3:30 p.m. on account of a family obligation.

Mr. CICILLINE (at the request of Ms. PELOSI) for September 10 and 11 on account of district work.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 29 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, September 13, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7583. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Administration's final rule — Defense Federal Acquisition Regulation Supplement: Reporting of Government — Furnished Property (DFARS Case 2012-D001) (RIN: 0750-AG83) received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7584. A letter from the Chief, Broadband Division, Wireless Communications Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter: Amendment of Part 101 of the Commission's Rules to Facilitate the Use of Microwave for Wireless Backhaul and Other Uses and to Provide Additional Flexibility to Broadcast Auxiliary Service and Operational Fixed Microwave Licensees; Petition for Rulemaking filed by Fixed Wireless Communications Coalition to Amend Part 101 of the Commission's Rules to Authorize 60 and 80 MHz Channels in Certain Bands for Broadband Communications [WT Docket No.: 10-153] [RM-11602] received August 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7585. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Endorsement of Nuclear Energy Institute Guidance for Developing Seismic Hazard Information Requested in the 50.54(F) Letter Dated March 12, 2012 received August 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7586. A letter from the Acting Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 3-12 informing of an intent to sign the Memorandum of Understanding with Israel; to the Committee on Foreign Affairs.

7587. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-068, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7588. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-081, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7589. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-085, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7590. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-073, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7591. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-099, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7592. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-084, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7593. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-038, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7594. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-049, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7595. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-088, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7596. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-065, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7597. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-074, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7598. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-097, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7599. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-063, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7600. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-052, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7601. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-057, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7602. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-039, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7603. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-034, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7604. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-110, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7605. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-076, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7606. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-076, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7607. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-091, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7608. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-101, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7609. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-078, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7610. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-086, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7611. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-080, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7612. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-048, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7613. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-069, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7614. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-075, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7615. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-047, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7616. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-111, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7617. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-122, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7618. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 110210132-1275-02] (RIN: 0648-XC055) received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7619. A letter from the Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 110210132-1275-02] (RIN: 0648-XC055) received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7620. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC056) received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7621. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Commercial Gulf of Mexico Non-Sandbar Large Coastal Shark Fishery [Docket No.: 100622276-0569-02] (RIN: 0648-XC080) received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7622. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; 2012 Atlantic Bluefin Tuna Quota Specifications [Docket No.: 120306154-2241-02] (RIN: 0648-XA920) received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7623. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Mississippi River, Mile Marker 230.0 to Mile Marker 237.0, in the Vicinity of Baton Rouge, LA [Docket Number: USCG-2012-0393] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7624. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Skagway Harbor, Skagway, Alaska for 4th of July Fireworks [Docket Number: USCG-2012-0512] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7625. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; San Francisco Bay Navy Fleetweek Parade of Ships and Blue Angels Demonstration [Docket Number: USCG-2012-0459] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7626. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Lafourche Bayou, LA [Docket Number: USCG-2011-0926] (RIN: 1625-AA09) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7627. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0329; Directorate Identifier 2011-NM-139-AD; Amendment 39-17127; AD 2012-14-13] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7628. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Embraer S.A. Airplanes [Docket No.: FAA-2011-1251; Directorate Identifier 2011-NM-017-AD; Amendment 39-17132; AD 2012-15-03] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7629. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Various Aircraft Equipped with Rotax Aircraft Engines 912 A Series Engine [Docket No.: FAA-2012-0765; Directorate Identifier 2012-CE-028-AD; Amendment 39-17130; AD 2012-15-01] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7630. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.) Airplanes [Docket No.: FAA-2010-1164; Directorate Identifier 2010-NM-057-AD; Amendment 39-17135; AD 2012-15-06] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7631. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.) Airplanes [Docket No.: FAA-2012-0675; Directorate Identifier 2012-NM-120-AD; Amendment 39-17131; AD 2012-13-51] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7632. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters [Docket No.: FAA-2012-0356; Directorate Identifier 2011-SW-067-AD; Amendment 39-17128; AD 2012-14-14] (RIN: 2120-AA64)

received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7633. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30834; Amdt. No. 3471] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7634. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Surety Bond Guarantee Program — Quick Bond Application and Agreement (RIN: 3245-AG39) received August 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALL: Committee on Science, Space, and Technology. H.R. 3479. A bill to reauthorize Federal natural hazards reduction programs, and for other purposes; with an amendment (Rept. 112–666, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOODALL: Committee on Rules. House Resolution 778. Resolution providing for consideration of the joint resolution (H.J. Res. 117) making continuing appropriations for fiscal year 2013, and for other purposes; and providing for consideration of the bill (H.R. 6365) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established by the Budget Control Act of 2011 (Rept. 112–667) Referred to the House Calendar.

Mr. SESSIONS: Committee on Rules. House Resolution 779. Resolution providing for consideration of the bill (H.R. 6213) to limit further taxpayer exposure from the loan guarantee program established under title XVII of the Energy Policy Act of 2005, and providing for consideration of motions to suspend the rules (Rept. 112–668). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the committees on Transportation and Infrastructure and Natural Resources discharged from further consideration. H.R. 3479 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. KING of New York: Committee on Homeland Security. H.R. 2356. A bill to enhance homeland security by improving efforts to prevent, protect against, respond to, and recover from an attack with a weapon of mass destruction, and for other purposes; with an amendment (Rept. 112–665, Pt. 1); referred to the Committee on Science, Space, and Technology for a period ending not later than November 30, 2012, for consideration of such provision of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(p), rule X.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 2356. Referral to the Committees on Energy and Commerce, Transportation and Infrastructure, Foreign Affairs, Intelligence (Permanent Select), and Science, Space, and Technology for a period ending not later than November 30, 2012.

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. MARKEY (for himself and Ms. DEGETTE):

H.R. 6377. A bill to require disclosures to consumers regarding the capability of software to monitor mobile device usage, to require the express consent of the consumer prior to monitoring, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCNERNEY (for himself and Mr. COSTA):

H.R. 6378. A bill to provide for the designation of, and the award of grant with respect to, air and health quality empowerment zones; to the Committee on Energy and Commerce.

By Mr. CLYBURN (for himself, Mr. DUNCAN of South Carolina, Mr. GOWDY, Mr. MULVANEY, Mr. SCOTT of South Carolina, and Mr. WILSON of South Carolina):

H.R. 6379. A bill to designate the facility of the United States Postal Service located at 6239 Savannah Highway in Ravenel, South Carolina, as the ''Representative Curtis B. Inabinett, Sr. Post Office''; to the Committee on Oversight and Government Reform.

By Mr. GIBSON (for himself and Mr. WELCH):

H.R. 6380. A bill to temporarily relieve cost-sharing requirements for Army Corps of Engineers watershed mitigation projects and flood damage reduction projects for counties adversely impacted by Hurricane Irene or Tropical Storm Lee, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. AL GREEN of Texas (for himself, Mr. BACHUS, Mr. CLEAVER, and Mr. HECK):

H.R. 6381. A bill to establish a pilot program to authorize the Secretary of Housing and Urban Development to make grants to nonprofit organizations to rehabilitate and modify homes of disabled and low-income veterans; to the Committee on Financial Services.

By Mr. ISRAEL (for himself and Mr. BERMAN):

H.R. 6382. A bill to hold war crimes suspects and Nazi war criminals accountable by encouraging foreign governments to more efficiently prosecute, extradite, deport, or accept for deportation such war crimes suspects and Nazi war criminals, and for other purposes; to the Committee on Foreign Affairs.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 6383. A bill to designate the facility of the United States Postal Service located at 2825 Oak Lawn Avenue in Dallas, Texas, as the ''William H. 'Bill' Nelson Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. LARSON of Connecticut (for himself and Mr. TONKO):

H.R. 6384. A bill to amend the Internal Revenue Code of 1986 to increase, expand, and extend the credit for hydrogen-related alternative fuel vehicle refueling property and to increase the investment credit for more efficient fuel cells; to the Committee on Ways and Means.

By Ms. MCCOLLUM (for herself and Mr. LATOURETTE):

H.R. 6385. A bill to direct the United States Fish and Wildlife Service, in coordination with the Army Corps of Engineers, the National Park Service, and the United States Geological Survey, to lead a multiagency effort to slow the spread of Asian Carp in the Upper Mississippi and Ohio River basins and tributaries, and for other purposes; to the Committee on Natural Resources.

By Mrs. MILLER of Michigan (for herself, Mr. ROKITA, and Mr. HARRIS):

H.R. 6386. A bill to amend the National Voter Registration Act of 1993 to require an individual who applies for a motor vehicle driver's license in a new State to indicate whether the new State is to serve as the individual's residence for purposes of registering to vote in elections for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. REED (for himself, Mr. CRITZ, and Mr. RIBBLE):

H.R. 6387. A bill to direct the Secretary of Transportation to issue categorical exclusions from the requirement that an environmental assessment or environmental impact statement be prepared for highway safety improvement projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ROHRABACHER:

H. Con. Res. 137. Concurrent resolution expressing the sense of Congress that the Azeri people, currently divided between Azerbaijan and Iran, have the right to self-determination and to their own sovereign country if they so choose; to the Committee on Foreign Affairs.

By Mr. LANGEVIN (for himself, Mr. RUNYAN, Mr. REICHERT, and Mr. PERLMUTTER):

H. Res. 780. A resolution supporting the goals and ideals of the Olympic movement; to the Committee on Foreign Affairs.

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. MARKEY:

H.R. 6377.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8.

By Mr. MCNERNEY:

H.R. 6378.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. CLYBURN:

H.R. 6379.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. GIBSON:

H.R. 6380.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution (clauses 1, 3, 14, and 18), which

grants Congress the power of Congress to provide for the general welfare of the United States; to regulate interstate commerce; to make rules for the government and regulation of the land and naval forces; and to make all laws necessary and proper for carrying out the powers vested in Congress.

By Mr. AL GREEN of Texas:

H.R. 6381.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority to enact this legislation can be found in:

General Welfare Clause (Art. 1 sec. 8 cl. 1)

Commerce Clause (Art. 1 sec. 8 cl. 3)

Necessary and Proper Clause (Art. 1 sec. 8 cl. 18)

Constitutional analysis is a rigorous discipline which goes far beyond the text of the Constitution, and requires knowledge of case law, history, and the tools of constitutional interpretation. While the scope of Congress' powers is an appropriate matter for House debate, the listing of specific textual authorities for routine Congressional legislation about which there is no legitimate constitutional concern is a diminishment of the majesty of our Founding Fathers' vision for our national legislature.

By Mr. ISRAEL:

H.R. 6382.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 6383.

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 1, Section 8, Clause 1 of the United States Constitution.

By Mr. LARSON of Connecticut:

H.R. 6384.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8, Article I

By Ms. McCOLLUM:

H.R. 6385.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, which gives Congress the power ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing powers.''

By Mrs. MILLER of Michigan:

H.R. 6386.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4.

By Mr. REED:

H.R. 6387.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 as well as Article I, Section 8, Clause 18

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 190: Ms. SPEIER.

H.R. 733: Mr. WALDEN, Mr. MICA, Mr. CARSON of Indiana, and Mr. FRANKS of Arizona.

H.R. 854: Mr. FRELINGHUYSEN.

H.R. 942: Mr. BILBRAY and Mr. KISSELL.

H.R. 949: Ms. McCOLLUM.

H.R. 964: Mr. LANGEVIN.

H.R. 1048: Mr. SCHIFF, Ms. SCHWARTZ, Ms. SPEIER, and Mrs. DAVIS of California.

H.R. 1063: Mr. STEARNS and Ms. HANABUSA.

H.R. 1111: Mr. MILLER of Florida.

H.R. 1259: Mr. TURNER of New York.

H.R. 1260: Mr. MICHAUD.

H.R. 1265: Mr. REED, Mr. BILBRAY, and Mr. AMODEI.

H.R. 1269: Mr. HONDA.

H.R. 1322: Mr. BISHOP of New York, Ms. LEE of California, Ms. NORTON, Mr. McGOVERN, and Mr. LANGEVIN.

H.R. 1370: Mr. McHENRY and Mr. HURT.

H.R. 1386: Ms. BASS of California, Mr. HOLT, and Mr. DAVID SCOTT of Georgia.

H.R. 1394: Mr. HEINRICH, Mr. YOUNG of Florida, Ms. RICHARDSON, Mr. GRIJALVA, Ms. SPEIER, Mr. PERLMUTTER, Mr. MILLER of North Carolina, Mr. COSTELLO, Ms. SLAUGHTER, Mr. SESSIONS, and Mr. BARLETTA.

H.R. 1426: Mr. GRIFFIN of Arkansas.

H.R. 1489: Mr. GUTIERREZ.

H.R. 1513: Mr. GALLEGLY and Mr. GIBSON.

H.R. 1517: Mr. MICHAUD.

H.R. 1523: Mr. OLVER and Ms. SCHAKOWSKY.

H.R. 1529: Mr. MICHAUD.

H.R. 1546: Mr. HECK.

H.R. 1552: Mr. GRIJALVA.

H.R. 1614: Mr. PAUL.

H.R. 1648: Mr. SERRANO and Mr. CUMMINGS.

H.R. 1704: Ms. WATERS.

H.R. 1709: Mr. MICHAUD.

H.R. 1755: Mr. SCHIFF.

H.R. 1842: Mr. SARBANES.

H.R. 1903: Mr. KUCINICH.

H.R. 1960: Mr. RIBBLE.

H.R. 1993: Mr. CULBERSON.

H.R. 2016: Mr. KEATING.

H.R. 2052: Mr. CICILLINE.

H.R. 2364: Mr. CICILLINE.

H.R. 2382: Mr. CICILLINE, Ms. BONAMICI, Mr. DAVIS of Illinois, and Mr. GRIFFIN of Arkansas.

H.R. 2466: Mr. DUFFY.

H.R. 2536: Ms. BALDWIN.

H.R. 2595: Mr. MICHAUD, Ms. BORDALLO, Mr. LANGEVIN, Mr. DENT, and Ms. BALDWIN.

H.R. 2672: Mr. HEINRICH.

H.R. 2722: Mr. CICILLINE.

H.R. 2758: Mr. LEVIN and Ms. FUDGE.

H.R. 2759: Mr. BERMAN and Mr. RANGEL.

H.R. 2827: Mr. GRIMM and Mr. SHERMAN.

H.R. 2854: Mr. BACHUS.

H.R. 2866: Mr. PASCRELL.

H.R. 3102: Mr. FITZPATRICK.

H.R. 3178: Mr. NADLER.

H.R. 3238: Mr. MICHAUD, Mr. KUCINICH, and Mr. McDERMOTT.

H.R. 3307: Mr. HEINRICH.

H.R. 3313: Mr. CICILLINE and Mr. OLVER.

H.R. 3337: Mr. SOUTHERLAND.

H.R. 3359: Ms. CHU and Mr. BLUMENAUER.

H.R. 3423: Mr. MEEKS.

H.R. 3442: Mr. LYNCH.

H.R. 3461: Mr. WALDEN.

H.R. 3481: Mr. HARRIS.

H.R. 3506: Mr. GRIFFIN of Arkansas.

H.R. 3648: Ms. PINGREE of Maine.

H.R. 3661: Mr. GARY G. MILLER of California and Mr. COSTELLO.

H.R. 3679: Mr. FARR.

H.R. 4032: Mr. SERRANO.

H.R. 4084: Mr. CAPUANO.

H.R. 4124: Mr. STEARNS.

H.R. 4128: Mr. MICHAUD.

H.R. 4165: Mr. HEINRICH.

H.R. 4209: Mr. HOLT, Mr. COURTNEY, Mr. BOSWELL, Mr. GERLACH, Ms. WOOLSEY, Mr. PASTOR of Arizona, Mr. WOLF, Mr. RUNYAN, Mr. RANGEL, and Mr. MICHAUD.

H.R. 4269: Mr. BACHUS.

H.R. 4309: Mr. MARCHANT.

H.R. 4322: Mr. GRAVES of Georgia, Mr. KINGSTON, Mr. KING of Iowa, Mr. HARRIS, Mr. FLEISCHMANN, Mr. PITTS, and Mr. ROE of Tennessee.

H.R. 4350: Mr. SCHILLING and Mr. JONES.

H.R. 4369: Mr. GRIFFIN of Arkansas.

H.R. 4373: Mr. CRITZ.

H.R. 5647: Mr. PERLMUTTER and Mr. CRITZ.

H.R. 5746: Mr. BECERRA, Mr. GARY G. MILLER of California, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 5851: Mr. BISHOP of New York.

H.R. 5864: Ms. PINGREE of Maine and Mr. STARK.

H.R. 5914: Mr. COFFMAN of Colorado.

H.R. 5936: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. VAN HOLLEN.

H.R. 5969: Mr. POSEY, Mr. FLEMING, Mr. HARRIS, Mr. COLE, and Mr. PITTS.

H.R. 5970: Mr. POSEY, Mr. FLEMING, Mr. HARRIS, Mr. COLE, Mr. PITTS, and Mr. RIBBLE.

H.R. 5991: Mr. BILBRAY.

H.R. 6043: Mr. BUCSHON, Mr. KISSELL, and Mr. GRAVES of Missouri.

H.R. 6046: Mr. RANGEL and Ms. ESHOO.

H.R. 6061: Mr. FARR and Mr. DEUTCH.

H.R. 6087: Mr. WAXMAN and Mr. LATOURETTE.

H.R. 6134: Mr. OLVER.

H.R. 6153: Mr. JOHNSON of Georgia.

H.R. 6163: Mr. STEARNS and Mr. McCAUL.

H.R. 6220: Mr. RANGEL and Ms. WILSON of Florida.

H.R. 6245: Mr. WELCH.

H.R. 6246: Mr. McDERMOTT, Ms. NORTON, Mr. BISHOP of Georgia, and Mr. POLIS.

H.R. 6263: Mr. HOLT.

H.R. 6291: Mr. WELCH, Mr. CRITZ, Mr. COFFMAN of Colorado, and Mr. RIVERA.

H.R. 6350: Mr. YOUNG of Alaska and Mr. WEST.

H.R. 6361: Mr. AL GREEN of Texas and Mr. SHERMAN.

H.R. 6374: Mr. BISHOP of Georgia and Mr. PRICE of Georgia.

H.J. Res. 118: Mr. WALSH of Illinois.

H. Con. Res. 129: Mr. KISSELL.

H. Res. 295: Mr. MARKEY.

H. Res. 351: Mr. WELCH.

H. Res. 549: Mr. PASCRELL.

H. Res. 736: Mr. FARR.

H. Res. 760: Mr. SIRES, Mr. PETERS, and Mr. PASCRELL.

H. Res. 774: Mr. KEATING, Mr. CRAWFORD, Mr. GRIFFIN of Arkansas, Ms. LINDA T. SÁNCHEZ of Calfornia, and Mr. SHERMAN.

H. Res. 776: Ms. BORDALLO and Mr. KING of New York.