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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 15, 2011.

I hereby appoint the Honorable RENEE ELLMERS 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 5, 2011, 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.

HONORING OUR NATION'S ENGINEERS DURING NATIONAL ENGINEERS WEEK

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

Mr. LIPINSKI. Madam Speaker, as one of only a handful of engineers in Congress, I am proud again to sponsor a resolution honoring our Nation's engineers during National Engineers Week. This is my seventh year introducing this resolution, and it has a special significance this year.

Next week will mark the 60th anniversary of Engineers Week, and with nearly half of the practicing engineers in our country eligible to retire over the next few years, the central goal of Engineers Week, attracting new students to engineering careers, has never been more important. That is why educating and inspiring America's youth about engineering and science needs to be a national priority.

Engineers design and build all of our everyday products, such as bridges, airplanes, roads, computers, medical devices, cars and power plants, just to name a few. But engineering is more than that. Engineering is problem solving. We have many problems to solve, from our dependence on foreign oil to our crumbling infrastructure. And as a recent National Academies report explained, while only 4 percent of our Nation's workforce is composed of engineers and scientists, this group disproportionately creates jobs for the other 96 percent.

America's 2.5 million engineers have helped make our country great by solving problems and turning dreams into reality, and America's future depends on them. Unfortunately, oftentimes their contributions, though, go unnoticed. National Engineers Week seeks to fix this problem through events aimed at educating youth and fostering public awareness of the vital contributions made by engineers to our quality of life and our economic prosperity.

Engineers Week promotes recognition among parents, teachers, and students of the importance of STEM education and literacy. This year's theme is ''Engineers Make a World of Difference: A Celebration of Engineer Volunteerism.'' It recognizes the more than 1 million hours annually that America's engineers contribute to public service.

The celebratory events include the Future City Competition, Introduce a Girl to Engineering Day, and Discover Engineering Family Day, which all impart an appreciation of the wonders of engineering to our children of all backgrounds.

I can attest to my own childhood experiences with science and engineering and how they captivated me. I remember in high school at St. Ignatius my calculus and physics teachers, especially Father Thul and Father Fergus, helped mold my childhood fascination into an interest in engineering. These teachers, together with informal experiences at places like the Museum of Science and Industry and even at Brookfield Zoo, helped motivate me to pursue an undergraduate degree in mechanical engineering from Northwestern University and a degree in engineering economic systems from Stanford. One of the central goals of National Engineers Week is to provide this kind of inspiration for the next generation of students.

During Engineers Week in Chicago I will be attending the Engineers Week celebratory dinner, where they will give the Washington Award to a professor from Purdue University and will be honoring students who have made contributions in engineering through the Future Cities projects.

I would like to encourage all of my colleagues to cosponsor this resolution and go home and find some Engineers Week celebrations that are going on and participate in them in your districts. This is a great opportunity for us to thank the engineers who have contributed so much to our country and inspire that next generation of engineers that our country so terribly needs to solve the problems that face us today.

THE JAILS ARE FULL OF FOREIGN CRIMINALS

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

Mr. POE of Texas. Madam Speaker, I bring you news from the war on our

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third front, the southern border with Mexico.

Last Saturday, two American teenagers were brutally shot and killed in Mexico in the Mexican border town of Juarez, Mexico. That is right across the Rio Grande River from El Paso, Texas. On Thursday, drug cartels gunned down eight people at a bar in Juarez. On Sunday, Homero Salcido, the head of security and intelligence for the state of Nuevo Leon in Mexico, was shot in the head and his car was set ablaze. Nuevo Leon is close to the U.S. border and once was considered one of the safest towns in all of Mexico. These murders are evidence that the narcoterrorists are continuing to expand their control with our neighbors to the south in Mexico.

There are portions of Mexico that are under the control of the drug bandits, and honest law enforcement is nonexistent. However, Secretary of Homeland Security Janet Napolitano has said that the situation on the border has been ''mischaracterized'' by lawmakers for political reasons.

Well, the same can be said of Homeland Security Director Napolitano. She mischaracterizes the border region, claiming it is safe. This is either for political reasons or because she refuses to admit the Federal Government is unwilling or incapable of securing the border.

More than 34,000 people have been murdered in our neighboring country of Mexico since the drug cartels began their reign of terror in 2006. In my opinion, neither the United States nor Mexico has operational control of some border regions. Drugs and people are smuggled into the U.S. and guns and money are smuggled to the south into Mexico.

And this is just not a Mexican problem. For example, 27 percent of the inmates in United States prisons are not U.S. citizens: 17.5 percent are from the nation of Mexico, and a whopping 37 percent of Texas border jails contain foreign nationals. If the border is so secure, Ms. Napolitano, how come so many thousands of illegals are pouring into our country committing serious crimes and filling up our prisons? How can any reasonable person say our borders are secure when 27 percent of America's prisons are the home to foreign nationals? They wouldn't be in prison if they didn't cross the border in the first place.

There is more. Jose Oswaldo Reyes Alfaro, an illegal immigrant from El Salvador, went on a killing rampage in Manassas on Wednesday. He shot and killed three people and injured another. Alfaro had been ordered to be deported in 2002, but he just never left the country. These murders could have been prevented if our border security plan, Ms. Napolitano, was working.

An 8-year-old girl in Fairfax, Virginia, was raped by an illegal in her own home. Her rapist was Salvador Portillo-Saravia, a known criminal who was living in the United States illegally.

□ 1010

In 2003, Portillo-Saravia, an MS–13 gang member, was arrested and deported to El Salvador. But since we have open borders, the child rapist was able to sneak back into the United States unnoticed and under the radar. He was even arrested in November of 2010, but rather than be held in jail for deportation, he was released back on the streets because no one was able to check his illegal status. And 1 month later, Salvador Portillo-Saravia raped an innocent 8-year-old girl in her own home.

This disgusting crime could have been prevented if we secured our borders, deported illegals that were in this country, and kept them from returning. Tell the parents of this 8-year-old girl, Madam Secretary, that our border crisis is just ''mischaracterized.'' Our system is flawed and Homeland Security better understand that it is the duty of the Federal Government to protect the people of this Nation and quit making excuses.

It's way past time to put more National Guard troops on the border. I have introduced legislation to put 10,000 National Guard troops on the southern border to be paid for by the Federal Government but supervised by the four State Governors. We protect the borders of other nations. It's about time we protect our own.

Meanwhile, it appears Homeland Security is living in never-never land or blissfully unaware of the real world on the southern border—or mischaracterizes the situation for political reasons.

And that's just the way it is.

THE BUDGET: OUR PRIORITIES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Rhode Island (Mr. CICILLINE) for 5 minutes.

Mr. CICILLINE. Madam Speaker, I rise today with great concern about the future of our country. And that's because in the past few days we've seen the valley between the hardworking middle class and the rich continue to grow wider and wider. It's a matter of priorities, Madam Speaker, and right now we can see very clearly where my colleagues on the other side of the aisle have placed their priorities. It's not in the well-being of our workforce, not in the effectiveness of our classrooms, and not in the safety of our neighborhoods. No, Madam Speaker. The priorities of the majority party are not with the people who have worked hard all their lives to earn a decent wage, buy a decent home, put their kids through school, and do what they can to keep their families and communities strong. The priorities of my Republican colleagues lay with America's most successful—the hedge fund managers, Wall Street financiers, and investment bankers. That's why they worked so hard to give those folks another tax break at the end of last year under the guise of extending unemployment benefits for many people who lost jobs through no fault of their own.

But, my friends, you see, the rich didn't need another tax break—not now; not when their taxes are the lowest they've been since 1950, and a tax cut that added $800 billion to our deficit over the next decade. In addition to that, as part of the Recovery Act, Congress enacted the largest tax cut in American history and Democrats provided additional tax rebates for businesses that provide their employees with health insurance.

Amidst these tremendous tax breaks for the past 2 years, the Republicans are moving forward with a dangerous spending bill, one that continues to give rewards to the rich and literally guts the initiatives most meaningful to middle class families. Simply put, the Republicans' spending bill is irresponsible and tone deaf to the needs of a healing Nation. It cuts jobs, threatens American innovation, and diminishes investments in rebuilding America. It makes devastating cuts to education—reducing Pell Grants by $800 per student and kicking more than 200,000 children out of Head Start. It reduces the competitiveness of our workforce by slashing $1.6 billion in job training and cutting $120 million in alternative youth training that sends kids to work in construction and other trades—critical skills that will help us make things again in America and put us on better footing to compete with the rest of the world.

It derails $2.5 million in funding for high-speed trains, canceling 76 projects in 40 States, at the loss of 25,000 jobs focused on rebuilding America; and, at the same time, reduces our domestic security by eliminating 1,330 police officers and 2,400 firefighters, making our communities less safe.

The work of reducing our deficit and controlling spending will be hard, to be sure. The fact of the matter is that we have to cut spending. But we have to do it responsibly. We cannot cut what makes us competitive and what helps us to innovate, to succeed in the global economy, and ultimately to create jobs. The President's budget makes some serious cuts to good programs—some I strongly object to. But as we work to cut spending, we have to be sure that it's not at the expense of continuing to support initiatives that create jobs, educate our children, and keep our communities safe. We have to be serious and smart about how we address America's budget challenges.

This week, we will begin debate here in this Chamber on this budget challenge. I've heard from many of my constituents about the concerns that they have related to the Federal budget for this year. It's those conversations and the families I've met all across Rhode Island during the course of my campaign that I've got on my mind. I know what their priorities are. I've seen the circumstances and I understand the

challenges that their families are facing.

My friends, we owe it to the hardworking people of our country who are struggling to get by and who are playing by the rules but just waiting for someone to stand up for them rather than the rich guy on Wall Street. We owe it to America's hardworking people to have a serious and thoughtful debate in the hopes of producing a smart and essential budget for our country.

Our colleagues on the other side of the aisle have become captive to an extremist agenda that harms people who are already hurting the most. That's why it's critical we ask our Republican friends, Just what are your priorities? Do we have the courage to come together—not as Democrats or Republicans, but as Americans—and invest in our country's greatest asset—our people; the people who built this great Nation and who we must believe in, now more than ever, to move our country forward to a prosperous and promising future.

A NEVADA HERO: FRANCISCO ''FRANK'' CEDULA

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

Mr. HECK. Madam Speaker, I rise today to recognize a heroic Nevadan who passed away February 2, 2011. His name was Francisco ''Frank'' Cedula. He was born in the Philippines in Pasay City on January 7, 1923. Frank studied journalism at the University of Santo Tomas until he joined the Philippine resistance in 1941. At just 17 years old, he fought to disrupt the Japanese military's occupation. Eventually, Frank was captured and tortured by the Japanese, but he managed to escape and rejoin the guerilla fighters.

On December 26, 1941, Frank fought in the Battle of Piis. More than 100 American and Filipino soldiers fought and died in the battle. Their sacrifice gave General MacArthur's troops, his small USAFFE forces, enough time to assemble in Bataan. Commander Cedula was the lone survivor of the 3-day battle. He was bayonetted four times and left for dead. The natives assigned to bury the dead found him alive and nursed him back to health. Once healthy, he again rejoined the guerilla forces and continued the fight. Later in the war, Frank helped liberate American prisoners of war.

When the war ended, Frank served as the Filipino Veterans Legion National Commander for almost three decades. During his term as National Commander, the Filipino Veterans Legion created significant new benefits for their members. In 2005, Commander Cedula authored ''Filipino Veterans of WWII—An Endangered Human Specie'' to help inform congressional Members and veteran supporters about World War II Filipino veterans who were promised, and later denied, recognition and benefits for 60 years.

Frank was a man who set goals, then accomplished them. Frank achieved one goal when the World War II Filipino Veterans Equity Bill became law. After the law passed, Frank coauthored a new book, ''Denial and Restitution by America.'' This sequel to his first book thanked the congressional and Senate leaders who fought to turn the World War II Filipino Veterans Equity Bill into law.

For 20 years, he planned to construct a memorial marker at kilometer 134 in Quezon, Philippines, to honor and memorialize the men who lost their lives in the battle. Commander Cedula returned from a trip to the Philippines where he finalized the funding for that dream.

I am honored to call Commander Cedula a friend and a Nevadan.

CONGRATULATING WORLD CHAMPION GREEN BAY PACKERS ON WINNING SUPER BOWL XLV

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

Mr. KIND. Madam Speaker, I rise today to commend and thank my good friend and colleague from the Pittsburgh area, JASON ALTMIRE, for delivering on his Super Bowl bet with me last evening.

As we now know, a little over a week ago, my Green Bay Packers defeated his Pittsburgh Steelers 31–25 to win Super Bowl XLV. It was the Packers' 13th world title and their fourth Super Bowl victory, enabling them to bring home once again, where it belongs, the Vince Lombardi Trophy to Titletown, USA—Green Bay, Wisconsin.

□ 1020

To the victor belongs the spoils. So, last night, JASON and his staff delivered to my office some of Pittsburgh's finest cuisine—Primanti sandwiches and Iron City brew. Now, it didn't quite rival the world-famous tailgate parties that we have at Lambeau Field, but it wasn't bad.

We may have fun with our sports teams around here from time to time; but it is also useful to remind ourselves that at the end of the day, when the game is played and the score is settled, it is only just a game.

No one expressed that more eloquently than the MVP of Super Bowl XLV, the Green Bay Packers' quarterback, Aaron Rodgers. It was recently reported that, earlier in the season, Aaron Rodgers had sent a big care package out to his former girlfriend's elementary school in California, where she is teaching. In it was a host of school supplies, along with a bunch of Packer T-shirts and sweatshirts and other Packer paraphernalia. Also included in the care package was a note that Aaron Rodgers wrote to his former girlfriend, the teacher of that class, which read: Just to be clear, what you're doing in your life right now is a heck of a lot more important than what I'm doing in my life.

It's really refreshing to see a professional athlete at the peak of his career, at the height of his game, stay so well-grounded and understand what really is important to the future of our country, which is the future of our children and their educational success in the classroom. Whether he called for it or not, Aaron Rodgers has turned into a terrific role model for all of our children across this country. It is a constant reminder of the challenges that we still face and of the values that we still must hold dear in this country.

So I, too, want to congratulate Aaron Rodgers and the Green Bay Packers football team for their success; I want to congratulate the Packers organization and the tens of thousands of Packers fans who are part owners of the Packers franchise, including my own family.

In the immortal words of my 12-year-old son, Matthew, who turned to me shortly after their Super Bowl victory last week: Hey, Dad. You know, that was a lot of fun. Let's do it again.

So, indeed, let's do this again next season. I wish the Packers well, and I thank JASON ALTMIRE and his staff for delivering the goodies to our office last night.

BLOWING SMOKE AMIDST DIRE FINANCIAL STRAITS

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

Mr. DEFAZIO. Madam Speaker, our Nation is in dire financial straits, and, unfortunately, many on both sides of the aisle are blowing smoke about how serious they are in dealing with this problem.

The fact is we are looking at a record $1.6 trillion deficit. Now, it wouldn't have been a record and it wouldn't have been $1.6 trillion but for one vote: the Obama-McConnell tax compromise, the Republicans insisting that all of the Bush tax cuts passed in a time of surplus should be continued in a time of record deficits. That means, with borrowed money, there will be tax cuts for millionaires and billionaires and other special interests, or we will forgo the revenue of having them pay their fair share of taxes, say the rate they paid in the Clinton era when the economy did very well and they did very well.

So with that one single vote, suddenly we jumped up to a $1.6 trillion deficit. Now, the Republican majority says, oh, no, no, no, that cutting taxes doesn't count. Their rules deem that cutting taxes doesn't count. We can cut taxes without reducing spending; we can borrow the money and increase the deficit and the debt, but they say it doesn't count. They have deemed that in their rules. So they're really blowing smoke here. You cannot pretend that you're serious about the deficit if you say we can continue to reduce income. Here is what this year's Federal budget looks like.

This is the total budget. Look, we are borrowing from China and other places around the world almost half of what we're spending. We are borrowing $1.6 trillion, and the Federal tax revenue is $2.2 billion. Those are just extraordinary numbers. Now, they say they'll fix that by cutting. Well, here we go. Here we go again with the budget at $3.8 trillion and the deficit at $1.6 trillion.

They said, Well, wait a minute. You can't increase revenues. No. You could decrease revenues. They say that wouldn't count. Then, Oh, well. The Department of Defense is off limits. Entitlements are all off limits. Mandatory spending, meaning agriculture subsidies and other egregious things, are all off limits. We will balance the budget by going after non-defense discretionary spending.

There seems to be a little bit of a problem here.

Here is the deficit of $1.6 trillion. Now, if we eliminated all non-defense discretionary spending, which would mean basically the daily operations of the Government of the United States outside the Defense Department, it would be all gone; close the door; open the Federal prisons, and let the prisoners out. There would be no more Justice Department, no more FBI, no more Border Patrol, none of those things. Just get rid of all that stuff—the IRS, the Environmental Protection Agency, the Department of Education, health education, the Centers for Disease Control. All gone.

Well, you would still have a $1 trillion deficit. But don't worry, they're going to get us there by cutting.

You can't get there simply by cutting. Yes, you need to cut. You need to reduce and eliminate wasteful programs, but you can't pretend that you can cut revenues or that you can maintain tax loopholes for companies that move their headquarters to post office boxes in the Bahamas, like Carnival Cruise Lines—excuse me, their post office box is in Panama—which operate out of the U.S., get their customers in the U.S., use the ports of the U.S., use the U.S. Coast Guard, and whose executives live in the U.S. but they don't pay taxes here.

There is ExxonMobil, which doesn't pay taxes in the United States, but pays in other places around the world. We borrow money to give a subsidy to ExxonMobil. Yet in the last quarter of last year, they had the largest single corporate profit in the history of the world, and we're going to borrow money to give them tax rebates for taxes they didn't pay in the United States of America but that they paid elsewhere.

That system can't be fixed, the Republicans say. Those will be tax increases. You can't plug those tax loopholes. The agriculture subsidies pay people $20 billion not to grow things. No, can't go there. We're going to balance the budget by hacking away at non-defense discretionary spending. Unfortunately, physics and reality don't work for them here, nor does the math because it's a tiny fraction of the deficit if we totally eliminate those programs instead of just hack away at them.

So let's get real. Let's get together here. The country is confronted with a serious long-term debt problem. As everybody said yesterday, everything is on the table. Well, it's not, but everything should be on the table.

THE ASSAULT ON THE VOICE OF AMERICA—PUBLIC BROADCASTING

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

Mr. BLUMENAUER. Madam Speaker, the next few days on the floor of the House will be critical for the future of public broadcasting.

With the new Republican majority, people here are hoping for saving less than one cent per day on this ideological assault—on what?—public broadcasting, for 170 million Americans, their Voice of America and their window to the world.

In an era when local papers and radio stations are being gobbled up by large conglomerates, public broadcasting's 1,300 stations around the country are increasingly the only source of locally owned, locally controlled content.

Now, there is a lot of attention appropriately given to the major stations in America's large cities. We've all seen and heard programming from stations in Boston and San Francisco, New York, even in Portland, Oregon, as Oregon Public Broadcasting is recognized as one of these national leaders. For much of America outside the major metropolitan areas, public broadcasting actually plays an even more important role.

In the Rockies, the Pacific Northwest, rural areas, and the upper Midwest, often public broadcasting is not just the best local source. It is the only source of information that relates directly to their communities. The big stations in the large communities are going to be harmed by this assault on public broadcasting.

□ 1030

My own public broadcasting in Oregon will lose $2.4 million. It will really harm the quality of their effort. But it is in rural and small town America that the greatest damage will be done. For example, in eastern Oregon, it costs 11 times as much to get a signal to Burns as it does in the more populist Willamette Valley, and there simply isn't the base of population to make up for the difference with local contributions.

It's ironic that these partisans are attacking one of America's best public-private partnerships. It's not uncommon for the public investment to leverage $6 or more of private investment to make this high quality programming possible.

Now, there are some who claim that in an era of 500 cable and satellite stations that we don't need another source of information. Well, those people fail to grasp the power of noncommercial, public broadcasting, how it is unique today. There are countless shows that are directed towards America's kids, but public broadcasting provides the only children's programming that is trying to educate and entertain our children, not sell them something.

The public supports public broadcasting, not just in opinion polls, but with tens of millions of dollars of voluntary contributions that they make every year to provide the quality programming.

I fear that this reckless partisan assault on public broadcasting is actually going to hurt our long-term efforts to tame the budget deficit. Trading a savings of less than one-half cent per day per American won't offset the damage to public confidence by eliminating what so many people believe in and count upon.

More important, it will be a loss of a valuable tool to educate and inform the public from a respected nonpartisan source, exactly how we're going to need to get information to Americans to deal with this massive deficit problem that we face.

For those of us working to meet America's challenges, public broadcasting is an essential ally; but I will say that with the tremendous outpouring of support that we are now seeing, people calling and writing Members of Congress, stopping them on the street, I think there is a good chance that those 1,300 public broadcasting stations will still be here in the future helping inform the debates of today, if all of us do our job, listen to the public, and do what is in the best long-term interests of this country.

ON EXTENDING THE PATRIOT ACT

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

Mr. MCCLINTOCK. Madam Speaker, last year I voted to extend the Patriot Act for 1 year. I regret that vote and was glad to have been able to correct it, although I'm pained that the House voted otherwise yesterday.

During this past year, I have become convinced that the provisions of the so-called Patriot Act are an affront to the Bill of Rights and a serious threat to our fundamental liberty as Americans.

The Fourth Amendment arises from the abuses of the British Crown that allowed roving searches by revenue agents under the guise of what were called ''writs of assistance'' or ''general warrants.'' Instead of following specific allegations against specific individuals, the Crown's revenue agents were given free rein to search indiscriminately.

In 1761, the famous colonial leader James Otis challenged these writs, arguing that ''a man's house is his castle;

and whilst he is quiet, he is as well guarded as a prince in his castle. This writ, if it should be declared legal, would totally annihilate this privilege.'' Now 250 years later, the Patriot Act restores these roving searches.

In the audience that day in 1761 was a 25-year-old lawyer named John Adams. He would later recall: ''Every man of an immense crowded audience appeared to me to go away as I did, ready to take arms against writs of assistance. Then and there was the first scene of the first act of opposition to the arbitrary claims of Great Britain. Then and there, the child, 'Independence' was born.''

The American Founders responded with the Fourth Amendment. It provides that before the government can invade a person's privacy the executive branch must present sworn testimony to an independent judiciary that a crime has occurred and that there is reason to believe that an individual should be searched for evidence of the crime, and then specify the place to be searched and the things to be seized. The John Doe roving wiretaps provided under this bill are a clear breach of this crystal-clear provision.

The entire point of having an open and independent judiciary is so that abuses of power can be quickly identified by the public and corrected. The very structure of this law prevents that from occurring.

I also object to the lone wolf provision of the act that allows a person who's not acting in concert with a foreign power to be treated as if they were. This malignant fiction utterly blurs the critical distinction between a private person protected under our Constitution and an enemy combatant acting as an agent of a foreign power.

My chief of staff, Igor Birman, was born in Moscow. His family emigrated to America when he was 14. He tells of the days leading up to their long-awaited departure. His father had technical expertise, and the authorities were desperate to find some pretense to cancel the family's exit visa.

A week before they departed for America, the family returned home to find that the Soviet authorities had turned their apartment upside down looking for anything that could be used to block their emigration. This was not the result of suspected criminal activity but, rather, the same kind of open-ended search the Fourth Amendment protects us against.

His younger brother was terrified and hysterical. His mother calmed the little boy by saying, Don't worry, don't worry. We're leaving in a few days for America. This will never happen to us there.

Our country is threatened by foreign governments and multinational terrorist groups which are actively trying to do us harm, backed by a fifth column within our own borders. But we have faced far more powerful governments and far better organized networks of spies and saboteurs in the past without having to shred our Bill of Rights.

The freedom that our Constitution protects is the source of our economic prosperity, our moral authority, and our martial strength. It is also the ultimate bulwark against authoritarianism. Abraham Lincoln was right: No transatlantic military giant, let alone some fanatical terrorist group, can ever ''step across the ocean and crush us at a blow.'' And no foreign power can destroy our Constitution. Only we can do that.

As Lincoln said: ''As a Nation of free men, we are destined to live forever, or die by suicide.''

CONSEQUENCES OF THE REPUBLICAN CONTINUING RESOLUTION

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

Ms. FUDGE. Madam Speaker, Republicans have introduced an irresponsible and dangerous spending bill that cuts jobs, threatens American innovation, and diminishes investments in rebuilding America. Republicans only want to offer Americans a pink slip. We all want to find an appropriate way to reduce our deficit, but this certainly is not the way.

Republicans have proposed a resolution that will not decrease the deficit, but that will add $5 trillion to the deficit through tax cuts for the wealthiest Americans, unlimited war funding, and the repeal of the health care legislation. They have not presented a serious plan for actually addressing the deficit.

The irresponsible impact of Republican spending in education: Democrats are going to fight with everything we have to ensure that the next generation of students is prepared to become the educated workforce of tomorrow. But the Republicans believe that it is okay that more than 200,000 children will be kicked out of Head Start.

□ 1040

The Republicans believe that thousands of teachers should lose their jobs. The Republicans believe that Pell Grant recipients should lose $800 worth of financial support to pursue their educations.

In the area of innovation, America's competitiveness depends on our ability to innovate and keep America number one. Republicans believe that there should be 20,000 fewer researchers supported at the National Science Foundation. They believe that there should be a $1.4 billion reduction in science and energy research. They believe that there should be $2.5 billion in cuts to the National Institutes of Health, representing a significant setback in cancer and other diseases and research in general, which will especially hit hard the district I represent.

If we're talking about rebuilding America, Democrats support key investments in roads, schools, bridges that are critical for businesses to grow and that create good-paying American jobs. Republicans would rescind more than $2.5 billion for high-speed rail projects that have already been awarded. That would allow the loss of more than 25,000 new construction jobs and the cancellation of 76 projects in 40 States. Republicans would cut $234 million designed to improve our Nation's air traffic control system.

And as it relates to public safety, one of the most important things that a government does provide, we are here to take care of our people. We are to provide safety. The Republicans propose that more than 1,300 fewer cops should be on the streets because they are going to eliminate the COPS grants. And they would have 2,400 fewer firefighters on the job because they are going to eliminate funding for SAFER grants.

As President Obama said, we must out-innovate, out-educate, and out-build the rest of the world. Let's invest in America. Let us reject the Republican CR.

FUNDING CUTS

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

Ms. PINGREE of Maine. Madam Speaker, we are facing some very important and difficult decisions in the coming weeks as we debate both the continuing resolution and the President's budget. I would like to talk just a little bit about some of the decisions that we have to make today as we discuss this this morning.

As some of my colleagues have already mentioned, the proposed continuing resolution that the Republicans have put on the table has draconian cuts that will not move our country forward. Whether it's cuts to the National Institutes of Health and investigating important research that we have before us, cuts to our infrastructure or education, arts and culture, cuts to our police protection and fire protection in our home communities, this budget does not do what the American people need, and it will not move us forward.

The proposed continuing resolution has made one particular cut that I want to discuss in more detail. For a party that refers to itself as ''the party of jobs'' and says they want to move the economy forward, I am very disturbed to see that they are slashing the funding for the Economic Development Administration, and I am here to say that doing so will pull the rug out from the very people who are creating jobs and helping turn our economy around.

Last year, I brought the administrator of the Economic Development Administration to Maine; and he saw firsthand, as he well knew, how EDA funding could help make it possible to build a new freezer facility in the city of Portland. This is a critical infrastructure improvement for our already struggling Maine fishermen. This

would make it possible so that they would not have to send their catch off to another State or even another country to be processed. If we can build that freezer in Portland, hundreds of jobs could be created, and our working waterfronts could be strengthened.

Also in Maine, the community of Brunswick has been hit by BRAC, a base closure; and they have worked long and hard to develop economic development opportunities that will strengthen that community and reuse the base. They have successfully attracted exciting new projects, including an aircraft manufacturing facility using carbon fiber, high-technology materials and the highest technology in new engineering and building on the site of the former air base.

But those projects and the hundreds of jobs that they will create are counting on the EDA funding to help transform what was once a former Navy base into a civilian economic engine. The economy is just starting to turn around, and eliminating the critical investments we need to keep it going is the last thing we should be doing right now.

I want to say a couple of things too about the President's budget. The President has put forward a budget on the table that does many of the things that we need to have done: investing in infrastructure, science and technology, education, the very kinds of things that will make our country competitive and move us forward. There are many good things in this budget, whether it's eliminating the tax breaks for big oil companies, or no further extensions of tax cuts for the wealthy, or making sure we do increase the Economic Development Administration and invest in economic development.

Investing in health care, continuing to implement the health care reform bill where we are putting money into the critical training of 4,000 more primary care providers—I know that's a huge need in my State and so many other States—as well as working to move forward on the permanent fix to the SGR so that our physicians are adequately reimbursed.

Investments in housing, making sure that the homeless veterans are no longer on the streets anymore and that people have more choices to move forward in housing. Eliminating tax breaks for big oil companies. Making our commercial buildings more efficient, even cutting defense in strategic ways. Up to $78 billion in wasteful spending is cut out of the President's budget. Cutting of the alternative engine for the F–35, which is just wasteful, unnecessary while at the same time he is making sure that our military personnel get a pay raise and that they are recognized and supported.

I do need to discuss one issue in the President's budget that will be a problem for my constituents in Maine. The President's budget proposes to cut LIHEAP funding. LIHEAP funding helps nearly 70,000 Maine households make ends meet by offsetting home heating costs. Funding is especially important for Maine. We have some of the country's oldest housing stock, and we are heavily dependent on oil for heating. In fact, we are the most dependent State in the Nation on oil heat.

The cost of heating oil is going up, from a low of about $2.25 at the beginning of the economic downturn to about $3.35 now. Maine communities are still struggling in the down economy. Slashing funding for this program would not be appropriate, and it must be changed in the President's budget.

DO NOT CUT LIHEAP

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

Mr. ELLISON. Madam Speaker, I come before the House today to talk about a critically important program that I think all Americans need to know about which is hanging in the balance as we approach this continuing resolution. The program I am here to talk about is the Low Income Home Energy Assistance Program, also known as LIHEAP.

LIHEAP is a program commonly believed to be an income-support program. But actually, Madam Speaker, it is not an income-support program. LIHEAP, which provides energy to low-income families, heating oil, things like that, is actually a health program and a program that is designed to make sure that citizens do not have to choose between heat and eat. You do not have to choose between dinner and a warm room. Many of us who are from places like Minnesota, my own home State, but also Michigan, Maine, New Jersey, New Hampshire, add to that many others—Montana, many others, and even some States that we think of as warm-weather States, but in the winter can get cold too—really, people depend upon these programs to really survive.

In my own State, if LIHEAP is cut, many people will simply go without. And of course I have statistics here, Madam Speaker; but rather than talk about statistics, I want to talk about a man who lived in my district who was actually not a LIHEAP recipient but was eligible for the program and didn't use it. He didn't have enough money for his heat, so what he did was he kind of jerry-rigged some space heaters, and he kind of made due. And this caused a fire, Madam Speaker, which resulted in his death.

And when I looked up what really happens, how often people die from space heaters, the numbers are not always consistent, but upwards of 32 percent of all home fires are because of space heaters; and about 75 percent of all home-fire deaths are due to space heaters, deaths.

□ 1050

People die when this happens because they don't have the energy assistance that they need. And our Congress, right now, under Republican majority, is talking about cutting this program even more.

Now, you think about a winter like this one, Madam Speaker, where there have been record snowfalls in many places around our country, and it's been cold since October in Minnesota. And the fact is that programs that provide LIHEAP funding are already running out of money. And if they were drawn back to 2008 spending levels, we would have run out of LIHEAP funding in January. In Minnesota it really does not warm up until around April. And so this is terrible.

Madam Speaker, let me tell you, if you look at young people, kids, statistics show that if a family does not have to put a bunch of money into heating the home the child's diet improves, and the kid has enough to eat before he goes to school, which means that that little girl or that little boy can sit in the classroom without their stomach growling and can actually pay attention to the lesson that's going on because their family has some home energy assistance.

Our seniors are poor. It's about the prescription, or it's about the heated room.

Madam Speaker, it's not right to tell Americans that the wealthiest and most well-to-do among us get their tax break extended, and the poorest among us, well, they can just go get another blanket. That's wrong. We're failing a moral test of our Nation when we do things like this.

Madam Speaker, I want to raise this issue that we consider what we are doing to our society. It's not welfare; it's not income support. It is a health program. It is a health program designed to make sure that Americans don't freeze to death in their own homes. It is a health program designed to make sure that Americans don't have to make awful decisions about medication, about food, and things like this. It is a health program. And it's a program that has done countless amounts of good for many, many people that helps seniors, that helps children.

I'm very proud, Madam Speaker, as I close, to quote a man from my State of Minnesota. His name was Hubert H. Humphrey, and he said, The moral test of a Nation is how it treats people in the dawn of life, our children; people in the twilight of life, our seniors; and people in the shadows of life, the poor and underprivileged.

If we cut low-income energy assistance, we've failed that moral test.

ELIMINATION OF TITLE X FUNDING

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) for 5 minutes.

Ms. WASSERMAN SCHULTZ. Madam Speaker, it has been 6 weeks

now since Republicans assumed control of the House of Representatives, and we have yet to see a single job-creation bill brought to the House floor.

Indeed, just last week we spent roughly 10 hours debating a primary function of Congress, that of congressional oversight, something we already do. Yet still no legislation brought forward to spur job creation.

But while the Republican Congress has yet to bring forward a jobs agenda, they have found plenty of time to bring forward an extreme anti-woman agenda. Just recently we saw the introduction of H.R. 3, legislation that originally sought to redefine the definition of rape. Yes, that's right, legislation that would change rape from acting without a woman's consent to instead require women to prove force was used in order to prove rape.

It remains to be seen whether Republicans working on this legislation have shelved their plans to redefine rape and whether they will revise the language in H.R. 3. Still, 163 Republicans signed on as cosponsors of the bill with the forcible rape language included.

But the extreme anti-woman agenda doesn't stop with attempting to redefine rape. This week the House will vote on an amendment introduced by Representative MIKE PENCE that would eliminate family planning and lifesaving preventive care to millions of individuals each year. Mr. PENCE's amendment does this by eliminating title X funding.

Since 1970, the title X family planning program has been a key component of our Nation's health care infrastructure and an essential element in the winning strategy to reduce unintended pregnancies. Efforts to cut the title X program would take away funding from essential women's health care providers like Planned Parenthood.

Today, title X serves over 5 million low-income individuals every year. In every State, women and men rely on title X for basic primary and preventive health care, including annual exams, lifesaving cancer screenings, contraception, and testing and treatment for sexually transmitted diseases.

In fact, in 2009 alone, title X providers performed 2.2 million Pap tests, 2.3 million breast exams, and over 6 million tests for sexually transmitted diseases including nearly 1 million HIV tests.

And preventive care isn't limited to cancer screenings and education on how to avoid STDs. Title X actually reduces the number of abortions. In fact, title X services help prevent nearly 1 million unintended pregnancies each year, almost half of which would otherwise end in abortion.

Planned Parenthood and the title X program provide vital family planning services which help improve the life of the mother and the child. Indeed, family planning keeps women and children healthy. Studies have shown that when women have better access to family planning, it leads to healthier outcomes for both mother and child.

When women plan their pregnancies, they are more likely to seek prenatal care, improving their own health and the health of their children. In fact, access to family planning is directly linked to declines in maternal and infant mortality rates.

Eliminating the national family plan program will result in millions of women across the country losing access to basic primary and preventative health care and to the providers that offer these services. Without title X, more women will experience unintended pregnancies and face potentially life-threatening cancer and other diseases that could have been prevented.

The simple fact is that this proposal is anti-woman and anti-family.

Now, I know that we're all interested in finding ways to cut Federal spending, and Representative PENCE's amendment to eliminate funding for title X is framed in the context of fiscal responsibility.

But even more important than cutting spending is asking the question, are we reducing the deficit? Unfortunately, the answer to whether the Pence amendment would also cut the deficit is ''no.'' That's because title X actually saves taxpayer dollars. Since many of the patients served by title X are on Medicaid, preventative care like cancer screenings and contraceptive counseling actually means fewer costs to the taxpayer in the long run. Indeed, for every public dollar invested in family planning, $3.74 is saved in Medicaid-related costs. That's savings to both Federal and State governments.

Every year, Planned Parenthood works tirelessly to help to improve the health of communities across this country. Efforts to undermine the title X program and this essential health care provider are not only reckless, they are also anti-woman, anti-child, and anti-taxpayer.

Can we please stop the relentless attack on women, stop pursuing the divisive anti-woman legislation and focus on job creation and spurring economic growth once and for all?

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 until noon.

□ 1200

AFTER RECESS

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

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

You, Lord God, are our beginning and our end. For us to be aware of this leads to gratitude and petition.

So we praise and thank You for all the blessings of the past which bring us to this present moment.

We seek Your continued guidance and wisdom to accomplish great deeds in Your Holy Name and give You glory both now and forever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Illinois (Mr. JACKSON) come forward and lead the House in the Pledge of Allegiance.

Mr. JACKSON of Illinois led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 1-minute speeches on each side of the aisle.

RETURN TO FISCAL SANITY

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

Mr. FITZPATRICK. Mr. Speaker, this week marks an important turning point in restoring fiscal sanity to our country as we begin consideration of a measure that will reduce Federal spending by over $100 billion. Many Members of Congress committed to this reduction, which would return Federal spending to 2008 pre-stimulus levels. This is more than just a promise, Mr. Speaker; this is fundamental to the health of our economy and the future security of our Nation.

The consideration of spending cuts must be careful and deliberate. The budget of every department must be scrutinized while keeping in mind the promises made to our constituents, mine in the Eighth District of Pennsylvania and the millions of Americans who showed concern with our growing deficit.

It is notable that, for the first time, this resolution will be considered under an open rule to allow this process to be collaborative. I am sure at times it will be trying, but I am looking forward to working with my colleagues towards the collective goal of reducing our deficit.

The Federal deficit did not get out of hand overnight, and it certainly will

not be fixed overnight, but serious and substantial cuts must be made. The $100 billion mark is not arbitrary but, rather, marks an important milestone on the road to a sustainable Federal budget. It requires tough choices, but choices that must ultimately be made for the economic health and security of this generation and the next.

RESUMES FOR AMERICA

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

Mr. JACKSON of Illinois. Mr. Speaker, the book of Matthew says, ''For where your treasure is, there will your heart be also.'' That is a prescription for judging the priorities of politicians. We've seen the President's heart in his budget proposal. We've seen it in the continuing resolution that my Republican colleagues have offered.

At a time when they're needed the most, vital safety-net programs are on the chopping block: funding to help low-income Americans with their heating bills, grants to States and cities for community development, Pell grants, and much, much more.

In the midst of the worst economy most of us have ever seen, we are cutting the legs of the unemployed, the underemployed, and the economically insecure right out from under them.

It is clear to me that the President's tax deal with Republicans did not consider the depths of the Nation's historic unemployment problem.

So I'm reissuing my call for unemployed Americans to send their resumes and stories to resumesforAmerica@mail.house.gov. We must organize ourselves. The unemployed party is larger than the tea party.

No jobs are promised, but I will put your story in the CONGRESSIONAL RECORD so that our government that is supposed to be of, for, and by the people can begin to live up to the true meaning of its creed.

ResumesforAmerica@mail.house.gov.

CONTINUING RESOLUTION

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

Mr. SAM JOHNSON of Texas. You know, every Texas family must live within a budget. I don't understand why the Federal Government can't do the same. To get our fiscal house in order, we need to cut spending, balance the budget, pay down the debt, and shrink the deficit.

As a fiscal hawk, I know that in November the American taxpayers voted for Congress to roll back the failed stimulus spending, stop bailing out Wall Street, end Government Motors, stop saving Fannie and Freddie, and defund and repeal ObamaCare.

Plain and simple, the American people want Washington to tax less, spend less, and borrow less.

The CR represents some tough choices, but I know the American public is willing to make some sacrifices now so we can make a brighter and better future for our children and grandchildren tomorrow.

KEYSTONE XL PIPELINE SAFETY

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

Mr. COHEN. Mr. Speaker, the State Department is in the process of determining whether it should grant a Presidential permit for the construction of TransCanada's Keystone XL Pipeline, which could deliver up to 900,000 barrels of tar sands oil a day from Alberta, Canada—over 2,000 miles—to refineries on the U.S. gulf coast.

The proposed Keystone XL Pipeline will put communities along its path at unnecessary risk by using conventional technology to carry a blend of raw tar sand oil called diluted bitumen. Diluted bitumen is more corrosive and more likely to cause pipeline leaks than conventional oil. Already the Keystone I Pipeline, which came online just 6 months ago, has experienced seven leaks, and that is for a pipeline that TransCanada claims is the ''safest ever built.''

Considering the significant dangers of piping bitumen, I find it troubling that the pipeline's route goes directly through the Ogallala Aquifer in the Midwest, which provides clean drinking and irrigation water to most of America's heartland. Despite the dangers of tar sands oil, U.S. regulators do not delineate between this new product and standard petroleum.

We need new regulations. We need to put on hold the planned tar sands pipeline Keystone XL.

CONTINUING RESOLUTION

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

Ms. HANABUSA. Mr. Speaker, we are here to speak about the CR, this continuing resolution, which is going to set forth the budget for the rest of this fiscal year. Yes, it is true we all have a responsibility for the budget, but the bottom line for each and every one of us is how does this budget affect us, how does it affect the people that we represent? Let's look at what the CR does.

I think we all know that in the creation of jobs we must invest in America. We must invest in each and every one of you. When you look at a CR that basically eliminates and puts a chilling effect on all of the major investments that we need, we know that's not the right way to go. But more importantly than that, this is a CR that's going to cut, cut the future, cut those students, 200,000 of them, who rely on Head Start. We all know that we've got to invest in them now. It's also going to cut those middle class kids who are going to college on Pell grants $800 a piece.

So when we hear about the budget generally, let's not forget, it's the people. It's the kids that matter.

CONTINUING RESOLUTION

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

Mr. JOHNSON of Georgia. Mr. Speaker, the Republican CR is another broken promise that will eliminate thousands of good paying jobs in construction, law enforcement, research, education, and public safety. This is just more of the same, and this turns us into a pink slip Nation. I believe that's what the goal of the Republicans is, and this bill will cost us jobs today, tomorrow, and in the future by failing to invest in our infrastructure and by failing to invest in education.

Mr. Speaker, the mistakes the majority intends to make today will not be very easy to reverse, and I urge the majority to keep its promise to America, which is it's all about jobs.

□ 1210

PROVIDING FOR CONSIDERATION OF H.R. 1, FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2011, AND WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 92 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 92

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1) making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. No amendment to the bill shall be in order except: (1) those received for printing in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII dated at least one day before the day of consideration of the amendment (but no later than February 15, 2011); and (2) pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who submitted it for printing or a designee and shall be considered as read if printed. When the committee rises and reports the bill back to the

House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 1, clause 2(f) of rule XXI shall not apply to amendments addressing objects within more than one suballocation made by the Committee on Appropriations under section 302(b) of the Congressional Budget Act of 1974.

SEC. 3. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of February 17, 2011, providing for consideration or disposition of H.R. 1.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my new friend, the gentlelady from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. WOODALL. Mr. Speaker, House Resolution 92 provides for a modified open rule for consideration of H.R. 1. This bill reaffirms our commitment to fiscal responsibility by implementing two main pillars of our pledge to America: to cut discretionary spending and to ensure an open and bipartisan debate.

If you had told me 6 months ago that I would have been standing here on the floor of the House handling my very first rule on the floor of the House and that we would have been succeeding on two pillars of the pledge to America, I would have told you that might have been wishful thinking. But we have come together as a House, not as Republicans, not as Democrats, but as a House to bring this process forward today.

Now, you know, Mr. Speaker, as an experienced Member of the Rules Committee in a former life, how unusual it is to have an open process on a continuing resolution. I daresay, even the dean of the House, the gentleman from Michigan, has not seen a continuing resolution come to the floor under the open process that we're bringing it to the floor under today. And that's important, because as I listened to 1-minutes this morning, and I heard some folks on the left and heard some folks on the right who weren't quite happy with the way H.R. 1 turned out, that was an important consideration over the past 4 years, even over the past 10 years, over the past 20 years, because if you weren't happy with the way a continuing resolution turned out when leadership brought it to the floor, too bad for you. You didn't have a voice. You didn't have a vote. You didn't have a process. It was take it or leave it. Whether it was Republican leadership or whether it was Democratic leadership, take it or leave it. In the 112th Congress, our new leadership said we can do better, we have to do better, and the American people deserve better. And today, we are fulfilling that promise.

This open process will allow any Member, Republican or Democrat, to come to the floor today, tomorrow, bring their amendments to the floor so that they can say, We don't think you got it right. My 600,000 constituents back home want to make a change. We think we can do better. We think you did too much. We think you didn't do enough. The first time a continuing resolution has come to the floor in this open process. I ran on that commitment of openness, Mr. Speaker, and I believe in that commitment of openness.

I can't tell you how many times I said that if Speaker NANCY PELOSI rammed a bill through in the middle of the night, that was wrong. And if Speaker Newt Gingrich rammed a bill through in the middle of the night, that was wrong. That right and wrong are not partisan issues. Right and wrong are American issues. I can't tell you how much I enjoyed our Rules Committee hearing last night, Mr. Speaker, where we had the ranking member and the chairman of the Appropriations Committee come forward, lay out competing views about where they think we should take spending in this country, and then agree to come to the floor over the next several days to offer amendments, to work through that process, to make sure that at the end of the day, no longer do we have a take-it-or-leave-it leadership bill from either side of the aisle; that at the end of the day, we have a bill that was truly the work product of this new 112th Congress of this people's House. And it's just with tremendous pride, Mr. Speaker, that I take part in this debate today.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I want to thank the gentleman from Georgia for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I come to the floor today still waiting for the majority to give us a chance to vote on legislation that will create jobs. We are now 6 weeks into the 112th Congress, and we have yet to see a jobs bill from the Republican majority. It's high time the majority party allows us to debate and vote on legislation to get Americans back to work. Instead today, we are debating dangerous and reckless legislation that will cut American jobs and seriously threaten our ability to build upon our fragile economic recovery.

At a time when many Americans are still struggling to find employment, the Republican majority proposes a spending bill that ends construction projects, takes police off the street, and halts innovation that spurs job creation. This stands in stark contrast to the President's 2012 budget proposal that lowers our Nation's deficit and creates jobs for Americans by investing in national priorities like education, infrastructure, and emerging energy technology.

Unlike some within the Republican Party, the American people are not looking to completely cripple the Federal Government and leave the Nation to the corporate elite. Americans have repeatedly expressed a desire to make smart investments in our national priorities that leave our country more competitive now and into the future, and I stand today with the American people.

The Republicans' slash-and-burn budget does nothing to achieve this goal. It even cuts the most fundamental public services, ending policing programs and defunding educational reform efforts here in the United States. As nations like China and India pour money into the research and development of solar panels, wind power, and high-speed trains, creating thousands of jobs for their citizens, the Republican majority is removing the most fundamental investments in comparable American jobs. This reckless approach not only destroys jobs today but also in the months and years to come.

This is a critical time in America's history, and if we are to compete with nations like China to create jobs in the United States and win the global marketplace, we must support our own Nation with smart, targeted cuts that will lower the deficit but invest in American jobs.

As I said, 6 weeks into the new Congress, and we are still waiting to see this smart, targeted plan to get Americans back to work. Instead, we see this hastily drawn up CR that takes a meat axe to the middle class. And as America waits, the global economy moves ahead, leaving us behind.

As the 112th Congress was sworn into office, we were bombarded with promises that an open and transparent process would make a triumphant return to this House floor. But as we now consider our first appropriations bill, we continue to stand here waiting for that grand return.

□ 1220

Mr. Speaker, while this rule may have the word ''open'' in the title, I assure you this is not an open process. Through last-minute changes, convoluted parliamentary maneuvers, and a pre-printing requirement, the Republican majority has provided an extremely convoluted and restrictive process.

An open rule means that as the legislative process proceeds, as an amendment passes, it may spark an idea for an amendment that another Member may choose to offer with the changes that are made in the legislation. This rule takes away that ability.

Also, the Republicans adopted, in a party-line vote at 9 p.m. last night, a parliamentary sleight of hand that blocks the transfer of any money from one part of government to another. This means you cannot use an offset from one part of the bill to increase spending in a different part. In all my years serving in Congress, I have never seen such a blanket prohibition, and yet the leadership would have us believe this is an ''open process'' and that this is ''regular order.''

To top it all off, Republicans have even given themselves an escape hatch with a martial-law provision of the rule which will allow them to report out a new rule for H.R. 1 that shuts down the amendment process without the normal 1-day waiting period.

This convoluted process has once again illustrated that the Republican Party continues to believe that claiming the sky is green will make it so. The truth is, you can't create jobs with a press release. You can't fix the Nation's health care system with a clever tag line, and you can't create an open and transparent Congress by creating an open rule in name only.

My fellow Democratic colleagues and I are committed to living within our means, while investing in the programs and policies that will help our country compete and win the global future. The Republican majority's continuing resolution couldn't be more dangerous to these values that we all hold dear.

I urge my colleagues to stand up for our communities, support legislation that creates jobs, strengthens the middle class while reducing our deficit. Today's CR does not meet this threshold and, as a result, I urge my colleagues to vote ''no'' on today's rule.

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

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

Mr. Speaker, you've caught me both on my first rule on the floor and a day where I am just so pleased to be here because of the things that are going on here today, because of the changes that I believe in, both in terms of fiscal responsibility and in terms of openness here in the process.

Now, I understand this rule isn't going to make everyone happy. It doesn't make me happy because we're only here today, and it's been very confusing for folks back home, Mr. Speaker. We talked so much about receiving the President's budget on Capitol Hill yesterday. Of course, that was his budget for FY 2012. We're still here working on the budget for 2011. This is the fifth continuing resolution that we've had to try to get that process right, and it's the first one since I've been sworn in that we've been involved in.

Now, I can tell you, as much of a voice as you have in this continuing resolution today, we have not seen this much debate or this many amendments in the last four continuing resolutions combined. In fact, I'm told that last night more than 400 amendments were filed to be eligible to come to the floor.

Now, I hear from my friends on the Democratic side of the aisle, for whom I have deep respect and admiration, that they believe this bill was put together in a hasty process. I'll tell you, we've been working on this bill day and night for weeks.

But then I hear from my friends that they're disappointed that we have a pre-printing requirement to allow for the thoughtful consideration of amendments, and they would rather it just be a willy-nilly process that happens here on the floor as folks come up with good ideas, one by one.

Well, I'll tell you, I look forward to that process. I very much hope we can have that as the appropriations bills move forward.

But, folks, this is a time of urgency. We have troops in harm's way overseas. We have economic development projects going on around this country that have no idea after March 4 whether there will be a single nickel available to support their cause. No idea. It is no way to run a government. And, again, to put credit where credit is due and blame where blame resides, both parties, over the last decade, have been guilty of this horrendous practice of bringing continuing resolutions to the floor.

Today we bring forward a bill that will put a stop to this process, that will get us through the end of 2011 and allow us to go through regular order to bring the remaining appropriations bills to the floor. And it's a process I very much look forward to.

I see my friend Mr. MCGOVERN in the Chamber this morning. He and I had a discussion last night in the Rules Committee about how to go after some, what I would call, egregious tax subsidies, those things that happen on the tax side of the ledger that shouldn't happen. I believe in a fair code. I believe in a code that's transparent, that people understand. You'll see my fair tax pin that I'm wearing here today. I believe in fundamental tax reform.

But today we only have a chance to talk about FY 2011 spending. I want to have that discussion about fundamental tax reform. I want to have the discussion that the gentlelady from New York wants to have about entitlement reform because I know precisely what my colleagues know, which is if we're going to be serious about budgets, that's where the dollars are, that's where the growth is, that's where the change has to come.

But today we have, because it's an open process, simply one bill that we can deal with, simply one idea that we can deal with, and that one idea is spending for FY 2011.

It would have been easy, Mr. Speaker, for this new House to have punted on making tough decisions. It would have been perfectly legitimate for this new House to say, we didn't cause this problem, we inherited this problem from last year's Congress, and we're just going to continue a continuing resolution on until the end of the year because we don't have the time or the commitment to start making tough choices. But we didn't. And I'm just so proud that we didn't.

What we said is, we have 7 months left in the year. Let's start right now. Let's start right now; and let's lay these ideas out one by one by one, not in big general terms, but in specifics, line item by line item by line item across literally thousands of appropriations accounts.

And we didn't say it's my way or the highway, Mr. Speaker. We said, if you have a better idea, if you have a better idea, come to the floor and let's talk about it. If you have a better idea, if we did too much here, tell us where we did too much and tell us how we can do better. And if we did too little here, tell us where we did too little and tell us how we can make it better.

I so look forward, at the end of this rules consideration, as we pass this rule and move forward in the general debate, to being able to engage in those amendments one by one, not in a back room somewhere, not off in the corner where it's just the leadership involved, but here on the floor of the people's House, for all of America to see, line item by line item by line item about where our priorities are.

Now, I'll tell you, Mr. Speaker, you know, as I know, that every nickel we collect in Federal revenue today goes to fund entitlements and service our national debt. And every nickel that we spend on every program we're going to talk about today, every program on the discretionary side, on the non-defense discretionary side, is a nickel that we borrow.

So when we talk about are these things good to do, I promise you that that's not where my heart is today. I know there are some good programs out here that are doing good things. What I also know is we're borrowing every nickel to fund those programs from our children and our grandchildren. When we talk about priorities, one of those priorities is paying for what it is we commit this Nation to.

Again, my good friend Mr. MCGOVERN was very persuasive last night when he said, for Pete's sake, they are programs I don't agree with; but dadgummit, if we're going to be involved in them, we ought to fund them; and I couldn't agree with him more. That's hard.

We received the President's budget just yesterday; and over a 10-year window, our systemic deficit never falls below 3 percent of GDP. We don't even qualify to join the European Union. We are so devoid of fiscal responsibility at this point in our Nation's history that we do not even qualify to join the European Union. I tell you, Mr. Speaker,

that's a low standard. We should do better. We should do better. We can do better. We brought H.R. 1 to the floor today, this rule, we'll bring it to the floor this afternoon so that we can do better.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 30 seconds just to say that what I really would love to see us debating today is how we're going to get out of Afghanistan and stop paying 8 billion borrowed dollars a month for that.

Also, in an editorial printed today, The New York Times said what I think a lot of us are saying, that this bill will cut vital government functions and not have any lasting impact on the deficit.

[From the New York Times, Feb. 14, 2011]

THE OBAMA BUDGET

On paper, President Obama's new $3.7 trillion budget is encouraging. It makes a number of tough choices to cut the deficit by a projected $1.1 trillion over 10 years, which is enough to prevent an uncontrolled explosion of debt in the next decade and, as a result, reduce the risk of a fiscal crisis.

The questions are whether its tough choices are also wise choices and whether it stands a chance in a Congress in which Republicans, who now dominate the House, are obsessed with making indiscriminate short-term cuts in programs they never liked anyway. The Republican cuts would eviscerate vital government functions while not having any lasting impact on the deficit.

What Mr. Obama's budget is most definitely not is a blueprint for dealing with the real long-term problems that feed the budget deficit: rising health care costs, an aging population and a refusal by lawmakers to face the inescapable need to raise taxes at some point. Rather, it defers those critical issues, in hopes, we assume, that both the economy and the political environment will improve in the future.

For the most part, Mr. Obama has managed to cut spending while preserving important government duties. That approach is in stark contrast to Congressional Republicans, who are determined to cut spending deeply, no matter the consequences.

A case in point: the Obama budget's main cut—$400 billion over 10 years—is the result of a five-year freeze in nonsecurity discretionary programs, a slice of the budget that contains programs that are central to the quality of American lives, including education, environment and financial regulation.

But the cuts are not haphazard. The budget boosts education spending by 11 percent over one year and retains the current maximum level of college Pell grants—up to $5,500 a year. To offset some of the costs, the budget would eliminate Pell grants for summer school and let interest accrue during school on federal loans for graduate students, rather than starting the interest meter after graduation.

Those are tough cutbacks, but, over all, the Pell grant program would continue to help close to nine million students. The Republican proposal would cut the Pell grant program by 15 percent this year and nearly half over the next two years.

The Obama budget also calls for spending on green energy programs—to be paid for, in part, by eliminating $46 billion in tax breaks for oil, gas and coal companies over the next decade. Republicans are determined not to raise any taxes, even though investing for the future and taming the deficit are impossible without more money.

The budget would also increase transportation spending by $242 billion over 10 years. It does not specifically call for an increased gas tax to cover the new costs, though it calls on Congress to come up with new revenues to offset the new spending. Republicans want to eliminate forward-looking programs like high-speed rail.

The budget is responsible in other ways. It would cap the value of itemized deductions for high-income taxpayers and use the savings to extend relief from the alternative minimum tax for three years so that the tax does not ensnare millions of middle- and upper-middle-income taxpayers for whom it was never intended. For nearly a decade, Congress has granted alternative minimum tax relief without paying for it.

House Republicans want to leave military spending out of their budget-cutting entirely, but Mr. Obama's budget reduces projected Pentagon spending by $78 billion over five years. If anything, Mr. Obama could safely have proposed cutting deeper, as suggested by his own bipartisan deficit panel.

The bill for the military is way too high, above cold-war peak levels, when this country had a superpower adversary. There's a point where the next military spending dollar does not make our society more secure, and it's a point we long ago passed.

Mr. Obama's budget also includes a responsible way to head off steep cuts in what Medicare pays doctors. It would postpone the cuts for two years and offset that added cost with $62 billion in other health care savings, like expanding the use of cheaper generic drugs.

But not all of Mr. Obama's cuts are acceptable. The president is proposing a reduction by nearly half in the program that provides assistance to low-income families to pay for home heating bills. Shared sacrifice need not involve the very neediest.

Ideally, budget cuts would not start until the economic recovery is more firmly entrenched. But the deficit is a pressing political problem. The Obama budget is balanced enough to start the process of deficit reduction, but not so draconian that it would derail the recovery.

The same cannot be said for the plan put forward by Republicans last week. It would amputate some of government's most vital functions for the next seven months of fiscal year 2011. (They haven't even gotten to next year yet, never mind the more distant future).

Real deficit reduction will require grappling with rising health care costs and an aging population, which means reforms in Medicare, Medicaid and Social Security, as well as tax increases to bring revenues in line with obligations.

Mr. Obama's budget does not directly address those big issues, but doing so would require a negotiating partner, and Mr. Obama, at present, does not have one among the Republican leaders in Congress. His latest budget is a good starting point for a discussion—and a budget deal—but only if Republicans are willing participants in the process.

I yield 3 minutes to the gentleman from Colorado (Mr. POLIS), a member of the Rules Committee.

□ 1230

Mr. POLIS. Mr. Speaker, America's top priority is creating jobs. But here we are, 6 weeks into the 112th Congress, and the Republican leadership has yet to bring a single jobs bill to the floor.

Once again, we're here today to exercise one of our primary constitutional responsibilities as Members of Congress, to pass appropriations legislation to fund the many basic and essential programs of the Federal Government on which millions of Americans rely. Today is an incredible opportunity for Republicans and Democrats to work together to bridge the gap between parties and pass a bill that meets our shared goals of creating jobs, building infrastructure, and strengthening the economy.

Sadly, the Republican leadership has brought to the floor a continuing resolution that jeopardizes American jobs and our economic future by rolling back investments that are necessary and important to help our private sector grow and help create jobs.

This CR thoughtlessly makes extreme cuts to appease an extreme wing of the other party at the expense of the American people. This CR arbitrarily kills jobs. It would set our country back decades in scientific research simply because Republicans don't like what the science says. Worst of all, it puts our children's health at risk by handcuffing the EPA's ability to please polluters.

The Clean Air Act guards the most vulnerable Americans, those with asthma, lung disease, children, older adults, people with heart disease and diabetes, from the dangers of airborne pollutants. Each year the act prevents tens of thousands of adverse health effects, including asthma attacks, heart attacks, and even premature death. This year alone, it was estimated by the U.S. Environmental Protection Agency that the Clean Air Act will save 160,000 lives. Yet Republicans plan to starve this lifesaving agency of its funding.

Mr. Speaker, building an excellent public education system that provides each and every American the opportunity to succeed is the most important investment we can make in our future. As President Obama said in his State of the Union address, it is not just about how we cut but what we cut. Education is an investment in our future, and we can't sacrifice our future. But Republicans, through this CR, seem to be willing to sacrifice our future to meet an arbitrary campaign pledge. By cutting to the heart of the learning needs of American children and youth through this extraordinary and nonsensical measure, Republican lawmakers clearly don't understand the meaning of investing in our future as a nation.

Mr. Speaker, at the State and local level, my home State of Colorado also receives a slap in the face from this continuing resolution. A year ago, Highway 36, the highway that connects Boulder to Denver, was awarded a $10 million TIGER/TIFIA Challenge Grant through the Recovery Act to expand one of the most used and heavily congested highways in our State. The $10 million Federal investment helped to leverage additional funds in the area, creating $276 million in employment income and 7,200 jobs. This project impacts 191,000 employees, 10 percent of our State's total.

This CR would rescind $9.1 million in funding without thought to details or consequences upon which the rest of the funding is built. This is a critical grant for Colorado that we were promised and received leverage.

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

Ms. SLAUGHTER. I yield the gentleman an additional 30 seconds.

Mr. POLIS. Colorado's U.S. 36 corridor won the TIGER award because it was one of the most innovative projects in the country. Mr. Speaker, Rome wasn't built in a day, and we can all agree that no State or community should be punished for being innovative.

The American public needs and deserves real solutions. I encourage my colleagues to oppose the rule for this CR, as well as the underlying CR, to prevent the irresponsible impact of this Republican spending bill.

Mr. WOODALL. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. Mr. Speaker, I rise in support of H.R. 1. This Congress must step up to reverse our Nation's mounting deficit and debt, and this measure before us today takes an important step. This is an important effort, and we need to cut wasteful and duplicative spending. But the reality is these kinds of cuts will never get us to a balanced budget.

Let's be honest. Only 16 percent of our Nation's spending is in non-security discretionary accounts. Today, we are cutting over $100 billion from just 1/6 of the Federal spending.

The infamous bank robber Willie Sutton once said that he robbed banks because that's where the money is. In our government, the money is in entitlements. For those who are concerned about funding for the sciences and education and medical research and infrastructure, as I am, the way to ensure that our Nation can pay for the programs so many people care about is to deal with the mandatory spending entitlements.

The President's State of the Union address was disappointing. He had a national forum to step up and embrace the recommendations of the National Commission on Fiscal Responsibility. The Bowles-Simpson Commission clearly recognized the looming fiscal crisis and offered a framework for a serious national conversation to begin on entitlement issues, and do it in a bipartisan way. I didn't agree with every recommendation and would have tried to change some. But had I been appointed to the commission, I would have voted with Senator COBURN and Senator DURBIN for the report. If those Senators, from far opposite sides, could come together for the good of the country, then where is the President?

As important as it is to tighten the Federal discretionary spending bill, we will only continue to tilt at windmills with a budget ledger if we don't deal with the entitlements—Medicare, Medicaid, and Social Security.

I believe the opportunity is to come together in a bipartisan way to put everything on the table to deal with it. Also, we need the President to step up to the plate and to be an honest broker on this issue and to lead the Nation.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I rise in very strong opposition to this rule and to the underlying continuing resolution.

The spending bill that the Republican leadership is bringing before the House today is reckless, thoughtless, and heartless; and, most disturbingly, it's a jobs killer. I believe that the best way to reduce our deficit and long-term debt is to grow our economy, to help businesses create jobs.

At a time when our economy is emerging from the worst recession in our lifetimes, when millions of Americans are out of work and millions more are struggling to make ends meet, this continuing resolution takes exactly the wrong approach.

Instead of making needed investments in education, medical research, infrastructure, and other priorities, this bill takes a meat axe to them. Instead of strengthening the middle class on Main Street, this bill gives sweetheart deals for Wall Street. Instead of investing in our workers, it protects special interest subsidies for big oil companies and hedge fund managers.

A few weeks ago on this floor, Republicans told us that veterans programs, education, child nutrition, and health care research would be protected. It is clear now that those were empty promises, Mr. Speaker.

For veterans, the bill eliminates a program that offers housing vouchers for homeless veterans. In education, the bill decimates the Pell Grant program by reducing the maximum award by $800 and by cutting another $4.9 billion from other education programs. For child nutrition, the bill cuts $750 million from the Women, Infants, and Children's program. And the bill slashes $2.5 billion from the National Institutes of Health, jeopardizing important research into diseases like cancer and Alzheimer's and diabetes. It destroys the Land and Water Conservation Fund, a commonsense program to preserve and protect our natural resources and outdoor recreational space, helping local economies grow.

Mr. Speaker, when we brought up the prospect of these cuts a few weeks ago, we were accused of demonizing the debate. Now that we have seen the numbers before us, I am sad to say it is worse than any of us could have predicted.

I find the cuts in education funding to be particularly troublesome. As President Obama made clear in his State of the Union, we must invest in our children if we are to compete in the 21st century economy. In order to maintain our economic standing, in order to create the jobs of the future, in order to compete against China, we must have a well-educated workforce. So why on Earth would we slash Pell Grants, which help millions of families, 12,000 in my district alone, pay for college? We shouldn't.

This bill will also decimate important lifesaving food aid programs to feed hungry children and refugees. It would literally take the food out of the mouths of some of the most vulnerable people around the world. Mr. Speaker, retreating from the global war against extreme poverty and hunger will undermine not just our moral authority but our national security as well.

I also want to point out that this bill continues the same misguided policy under Republican and Democratic Presidents alike that borrows hundreds of billions of dollars to pay for the wars in Iraq and Afghanistan. If we are truly serious about reducing the deficit, then those wars need to be ended or paid for. Along with my colleagues like WALTER JONES and others, I'm going to continue to talk about this issue. These wars are bankrupting us, and we need to have a meaningful, thorough debate about them.

So again, Mr. Speaker, I believe this continuing resolution contains exactly the wrong prescription for our Nation. We should be focusing on creating jobs and growing our economy. Instead, this Republican bill would lead to more unemployment, more unfairness, and more hardship with the American people.

I urge my colleagues to reject this rule and reject this underlying bill.

□ 1240

Mr. WOODALL. Mr. Speaker, I am proud to yield 2 minutes to the hard-working member of the Appropriations Committee, the gentleman from Georgia, JACK KINGSTON.

Mr. KINGSTON. I thank the gentleman from Georgia for the time.

Mr. Speaker, yesterday we got the President's budget and it was basically more of the same: higher taxes, more spending, more deficits. In fact, it will give us the third year of trillion-dollar deficits. And it made no mention of entitlement reform. In fact, the President ignored the recommendations of his very own hand-picked deficit reduction commission. It was very disappointing. But at the same time I want to work with the President. Where he wants to save money and reduce spending, I think it's important for Republicans to reach out and say yes.

Now it sounds to me like the Democrats want to remove themselves from that process, which is interesting because what we are debating in this $100 billion spending reduction bill is an open rule process where Democrats can put amendments on the board. And if they do agree with us, as I'm sure they do, that for every dollar we spend, 40 cents is borrowed, that our national debt is 96 percent of our GDP right now, and that spending each year is 25 percent of the GDP, a historical high,

then I know they would want to act with us rather than against us and try to address this situation.

So I say to my Democrat friends, if you feel this is too much, then offer your own spending cuts. This is what can change in Washington this year. Rather than having the same old hollow, rhetorical debate, which incidentally doesn't really pull the rug out from the Republican Party; it pulls the rug out from Congress. It damages our own credibility that we can't come together as representatives of a nation and try to move the country forward together.

Sure we can skirmish over things. For example, we've got $8½ billion in earmarks eliminated in this mark. Now maybe they want to restore the earmarks. That's fine. We have a reduction of 149 different spending programs. Maybe they want to restore those. Maybe they want to double that amount.

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

Mr. WOODALL. I am pleased to yield the gentleman 1 additional minute.

Mr. KINGSTON. Maybe the Democrats want to insist that the stimulus money stay in there. We go after the remaining portion, $2 billion. Maybe they think that's a bad thing and maybe we should get more out of it. But rather than just having the same old drama over and over again, hiding behind children and seniors and Pell Grants and everything else, why not come to the table and say, ''Here are our cuts''?

Mr. Speaker, this is 2.6 percent. That is to say that if I owed you a dollar and paid you back 97 cents, sure, you might still want that 3 cents from me, but, you know, you're pretty doggone close. This is a 2 percent reduction in a $3.7 trillion budget.

Now, if the Democrats don't like it, don't call it slashing and burning and all these other descriptions that are lively and make for good rhetoric and good drama. But if anything is irresponsible, it's irresponsible to call a cut of 2.6 percent reckless.

Ms. SLAUGHTER. Mr. Speaker, I am honored to yield 1 minute to the distinguished gentlewoman from California, the Democratic leader, Ms. PELOSI.

Ms. PELOSI. I thank the gentlelady for yielding, and I join her in opposing this rule and urging our colleagues to vote ''no'' on the rule, ''no'' on the previous question, and ''no'' on final passage of the bill.

Voting ''no'' on the previous question will enable us, if it succeeds, to bring to the floor our Build America Bonds legislation. Build America Bonds is supported, outside the Congress, across the board in a nonpartisan way by those who are building America—who are dredging our ports to enhance our trade, who are building our schools to educate our children, who are building our roads and highways and mass transit to get people to work and back, improving the quality of their lives; and in moving people and product again to work and to market, growing our economy.

Creating jobs is the number one priority for Democrats. We have said that we will judge every measure that comes before this House by whether it creates jobs, how it strengthens the middle class and how it reduces the deficit.

Indeed, that is what President Obama's budget released just yesterday will do. It will strengthen our Nation, invest in the future, help create jobs, and grow the economy, while reducing the deficit by $1.1 trillion. It sets us on a path, in President Obama's words, to ''out-educate, out-innovate and out-build the rest of the world.'' That is indeed what we must do.

In terms of innovation and education, the President's budget is a commitment to competitiveness that will keep America number one. In terms of out-building the rest of the world, consider this quote from USA Today:

''Associated General Contractors, a trade group for the construction industry, estimates the plan could create about 5.4 million construction jobs and 10 million more jobs in related industries and the broader economy.''

President Obama's budget is a tough budget and it makes tough choices. I don't agree with everything that the President cut in the budget, but it is a statement of values that we must support. It makes cuts and tough ones in a responsible way. As President Obama said yesterday, we must live within our means and invest in the future.

That is in stark contrast to the Republican legislation we debate today. With severe and indiscriminate spending cuts, it goes too far. This legislation will destroy American jobs while harming middle class families, young adults, seniors, and, yes, even our veterans. Since coming into office, Republicans have not put forward any initiatives to create jobs. Indeed, with this legislation, they are making matters worse. According to an independent study just released, the domestic cuts in this bill would destroy 800,000 public- and private-sector jobs. Democrats are saying to the Republican majority: Show us the jobs. Show the American people where the jobs are.

Just today, Speaker BOEHNER said that if jobs are lost as a result of Republican spending cuts, ''So be it.''

So be it? We believe that our budget should be a statement of our national values. What is important to us must be included in our budget.

Consider what the Republican legislation we debate today would do to diminish our investments in education, halt innovation, destroy good-paying American jobs and make our neighborhoods less secure. Indeed, not even homeless veterans are spared by the Republicans. Our Federal budget, as I said, must be a statement of our national values. We must ask ourselves, is this Republican legislation a statement of our values?

Is it a statement of our values to undermine our commitment to educate the next generation of leaders and innovators? The Republican proposal cuts $800 per student in the maximum Pell Grant award; thousands of teachers would lose their jobs; and in your neighborhood, class size could increase.

Is it a statement of our values to diminish our efforts to create green jobs and fight disease? This bill cuts $1.3 billion in investments to spur the clean energy economy of the future. It cuts more than $1.3 billion for cancer and other disease research.

In terms of innovation and education, the President's budget is a commitment to competitiveness. This legislation is not.

Is it a statement of our values to destroy jobs and undermine investments in our roads, schools and bridges to rebuild America? Tens of thousands of new construction jobs would be lost and 76 projects to upgrade our roads in your districts and bridges in 40 States would be canceled. I mentioned earlier what the general contractors said about creating millions of jobs in the industry and 10 million more jobs indirectly.

□ 1250

Is it a statement of our values to diminish the public safety of our neighborhoods? There would be up to 3,000 fewer cops on the beat in your neighborhood and 2,400 fewer firefighters on the job in our communities coast-to-coast; 3,000 fewer cops on the beat and 2,400 fewer firefighters in our communities coast-to-coast.

Is it a statement of our values to cut funding for homeless veterans? If there was one example of where this goes too far—think of it: Republicans want to eliminate $75 million from an initiative that offers housing vouchers to our homeless vets. It is a very effective initiative. Republicans want to cut it.

And is it a statement of our values to deprive women of primary care? When it comes to health and education, Republicans put women and children last.

Democrats and Republicans must work together to ensure our Nation lives within its means. That is for sure. We must continue to aggressively attack waste, fraud, and abuse, and we will subject every taxpayer dollar we spend to the toughest scrutiny, ensuring that the American people are getting their money's worth. But Republicans have not presented a responsible plan for addressing the deficit. We believe we can cut the deficit and create jobs. To do so, we must invest in the future.

Democrats do not subscribe to Speaker BOEHNER's verdict that if jobs are lost in this continuing resolution, so be it. Maybe so be it for him, but not so be it for the people who are losing their jobs. Instead, we support President Obama's budget to out-innovate, out-educate, and out-build the rest of the world.

That is why, Mr. Speaker, I urge my colleagues to vote no on the previous

question, no on the rule, and no on the underlying bill. Let's put this aside and get on with the business the people sent us here to do: Creating jobs, reducing the deficit, strengthening the middle class, and protecting the American people.

Mr. WOODALL. Mr. Speaker, at this time I am proud to yield 2 minutes to a hardworking member of the Appropriations Committee, the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

I rise in support of the rule and the continuing resolution.

Mr. Speaker, we would not be in this position this afternoon if the leadership of the last Congress let the Appropriations Committee do its work last year, to act on the President's budget proposal when it came out, to debate our bills in full committee, to debate our bills on the floor. So that is why we are here today. It would have been great if last year's House leadership had actually listened to the American people.

We would not be in this situation if the President and the congressional leadership hadn't borrowed billions of dollars, mortgaging our future, to spend on multiple stimulus bills and bailouts that did little to create private-sector jobs and restore consumer confidence.

The Department of Energy alone had $39 billion in stimulus money, all, I might say, borrowed—$9 billion more than its entire budget. It was a recipe for waste, a scatter gun approach that raised many public expectations but in the end provided few achievements and fewer yet jobs. In many cases it created businesses in the energy sector that could not survive without more government funding. To me, it created false markets. As some described it, it was more money than some knew how to deal with.

For months, those dollars were not obligated, much less spent, hiring up people in the public and private sector that the White House and the House and Senate leadership knew would eventually be laid off. Some might call it a job Ponzi scheme, a blank check owed to our children.

So here we are this week to pick up the pieces, right-size the ship of state, stop spending money we don't have, and restore trust for the American people that has been badly broken.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 10 seconds to just say, in a column printed Sunday in The New York Times, prize-winning economist Paul Krugman said the bill will sacrifice the future. He also said, ''Republicans don't have a mandate to cut spending; they have a mandate to repeal the laws of arithmetic.''

[From the New York Times, Feb. 13, 2011]

EAT THE FUTURE

(By Paul Krugman)

On Friday, House Republicans unveiled their proposal for immediate cuts in federal spending. Uncharacteristically, they failed to accompany the release with a catchy slogan. So I'd like to propose one: Eat the Future.

I'll explain in a minute. First, let's talk about the dilemma the G.O.P. faces.

Republican leaders like to claim that the midterms gave them a mandate for sharp cuts in government spending. Some of us believe that the elections were less about spending than they were about persistent high unemployment, but whatever. The key point to understand is that while many voters say that they want lower spending, press the issue a bit further and it turns out that they only want to cut spending on other people.

That's the lesson from a new survey by the Pew Research Center, in which Americans were asked whether they favored higher or lower spending in a variety of areas. It turns out that they want more, not less, spending on most things, including education and Medicare. They're evenly divided about spending on aid to the unemployed and—surprise—defense.

The only thing they clearly want to cut is foreign aid, which most Americans believe, wrongly, accounts for a large share of the federal budget.

Pew also asked people how they would like to see states close their budget deficits. Do they favor cuts in either education or health care, the main expenses states face? No. Do they favor tax increases? No. The only deficit-reduction measure with significant support was cuts in public-employee pensions—and even there the public was evenly divided.

The moral is clear. Republicans don't have a mandate to cut spending; they have a mandate to repeal the laws of arithmetic.

How can voters be so ill informed? In their defense, bear in mind that they have jobs, children to raise, parents to take care of. They don't have the time or the incentive to study the federal budget, let alone state budgets (which are by and large incomprehensible). So they rely on what they hear from seemingly authoritative figures.

And what they've been hearing ever since Ronald Reagan is that their hard-earned dollars are going to waste, paying for vast armies of useless bureaucrats (payroll is only 5 percent of federal spending) and welfare queens driving Cadillacs. How can we expect voters to appreciate fiscal reality when politicians consistently misrepresent that reality?

Which brings me back to the Republican dilemma. The new House majority promised to deliver $100 billion in spending cuts—and its members face the prospect of Tea Party primary challenges if they fail to deliver big cuts. Yet the public opposes cuts in programs it likes—and it likes almost everything. What's a politician to do?

The answer, once you think about it, is obvious: sacrifice the future. Focus the cuts on programs whose benefits aren't immediate; basically, eat America's seed corn. There will be a huge price to pay, eventually—but for now, you can keep the base happy.

If you didn't understand that logic, you might be puzzled by many items in the House G.O.P. proposal. Why cut a billion dollars from a highly successful program that provides supplemental nutrition to pregnant mothers, infants, and young children? Why cut $648 million from nuclear nonproliferation activities? (One terrorist nuke, assembled from stray ex-Soviet fissile material, can ruin your whole day.) Why cut $578 million from the I.R.S. enforcement budget? (Letting tax cheats run wild doesn't exactly serve the cause of deficit reduction.)

Once you understand the imperatives Republicans face, however, it all makes sense. By slashing future-oriented programs, they can deliver the instant spending cuts Tea Partiers demand, without imposing too much immediate pain on voters. And as for the future costs—a population damaged by childhood malnutrition, an increased chance of terrorist attacks, a revenue system undermined by widespread tax evasion—well, tomorrow is another day.

In a better world, politicians would talk to voters as if they were adults. They would explain that discretionary spending has little to do with the long-run imbalance between spending and revenues. They would then explain that solving that long-run problem requires two main things: reining in health-care costs and, realistically, increasing taxes to pay for the programs that Americans really want.

But Republican leaders can't do that, of course: they refuse to admit that taxes ever need to rise, and they spent much of the last two years screaming ''death panels!'' in response to even the most modest, sensible efforts to ensure that Medicare dollars are well spent.

And so they had to produce something like Friday's proposal, a plan that would save remakably little money but would do a remarkably large amount of harm.

Mr. Speaker, I yield 2 minutes to my fellow New Yorker (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Speaker, I rise in opposition to the rule and, more importantly, in opposition to the underlying legislation.

I think we all recognize that we must make painful cuts, we must make difficult cuts, but I think it is important to recognize that there is a real difference between painful cuts and difficult cuts and cuts that are destructive, and I want to focus on an area where I think the cuts will be particularly destructive. They will be destructive to ambition, destructive to aspiration, and destructive to our ability to maintain a vibrant economy, and those are the cuts maintained in this legislation that would take $6.5 billion, $6.5 billion in one year, out of the student financial aid program, cutting Pell Grants by $5.6 billion, almost $5.7 billion, and cutting SEOG, a program that has been in existence since the late 1960s, completely eliminating it to the tune of $800 million a year. These cuts are destructive.

The most powerful tool that we have to put our economy back on track is an educated workforce, and the most powerful tool we have to bring about the fiscal stability that we need in this country is a growing economy. That is not possible unless we have an educated workforce.

Sixty-three percent of the jobs that will be created over the next 6 years will require post-secondary education. Ninety percent of the jobs that are expected to be the highest growing areas—science, technology, math, health care—require a post-secondary education. And yet the response of the current leadership of this Congress to that is to cut funding that allows students to go on to college. It is wrongheaded and, frankly, it is destructive of our future, and I would urge that my colleagues vote against it.

I will make one last point. The gentleman from New Jersey just said the Democrats did not listen to the American people last year. That is a continuing refrain. Well, the American

people have spoken loudly and clearly about education cuts. Sixty-one percent of them believe that the Federal Government should spend more on education and only 11 percent believe that we should cut education.

The SPEAKER pro tempore. Without objection, the gentleman from Massachusetts (Mr. MCGOVERN) will control the time on the minority side.

There was no objection.

Mr. WOODALL. Mr. Speaker, at this time I am pleased to yield 2 minutes to the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. I thank the gentleman from Georgia for the time.

Mr. Speaker, what a difference a new Congress makes. We have seen in the last 4 years on the Appropriations Committee a lack of any kind of transparent open process. This last year on the other side of the aisle when they were in control, they didn't even pass a budget, a blueprint for spending. And that is why this year, Mr. Speaker, we have a $1.65 trillion deficit. One year, $1.65 trillion. We can't continue.

The President's budget that he brought up, which is not just dead on arrival, it is debt on arrival, what this says is that we are going to double the privately held national debt, another $7 trillion. This is not fiscal restraint. This is not sanity.

I have four grandchildren, and the reason I am here is to make sure that they have a future. We cannot continue this outrageous spending that is going on in Washington. And when you look at this bill that we are talking about on the floor, $100 billion off of the President's proposal for this past year, that is less than 1/16th of the annual deficit. It is scratching the surface. But because there has been no budget, there has been no fiscal restraint at all in the previous two Congresses, this thing has totally grown way beyond what is comprehensible by any normal person.

That is why, Mr. Speaker, this is the first step to bring some fiscal sanity back to Washington, D.C., to actually understand what the ramifications are long-term in spending. We cannot continue. And it is amazing to me in this rule to have an open process, where people can actually have amendments, I have had some Democrat colleagues come up and say, you mean, we are actually going to have amendments? They don't know how to handle that, because we have had a closed process for the last 4 years. We have second term Members of Congress that have never seen an open rule on an appropriations bill. Let's pass this rule and get our house in order.

□ 1300

Mr. MCGOVERN. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, my friends on the other side of the aisle talk about the need to be fiscally responsible. I tried last night to offer an amendment in the Rules Committee that would simply say that we should pay for the war in Afghanistan, that we should not continue to borrow the money. Last year, we borrowed $450 billion. That went onto the credit card. And that means our kids and grandkids will have to bear that burden. That amendment was not made in order. I couldn't offer that amendment.

We talked last night about the giveaways to big oil companies and the need to get at those subsidies. The way the bill is written, we can't do it. We can't do it. So it's not so open.

I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, we do believe that reducing our deficit is one of the ways to instill confidence and create jobs. So, Mr. Speaker, I have a proposal for consideration. We give away $4 billion a year in tax breaks to oil companies. Last week, the former CEO of Shell Oil Company said they don't need these tax breaks any more because they would search for the oil anyway; and, by the way, these companies made about a 53 percent profit last year.

So here's the proposal I would like to make: Let's do away with the $4 billion in oil company tax breaks. Let's take 80 percent of that money and use it to reduce the deficit, and then let's take the remaining 20 percent of the money and spend it on programs for homeless veterans.

There was a report last week that 16 percent of the homeless in our country are veterans of the military service. This is obviously a condition that's a disgrace to our country and should be stopped. So my proposal under this open rule is that I be permitted to offer an amendment that says let's get rid of the tax breaks for the oil companies, put 80 percent of the money to reducing the deficit, and spend the other 20 percent to help the homeless veterans living on the streets of our country.

Now, it's my understanding, reading this rule, that I will not be permitted to offer that amendment. I would yield to anyone on the majority side if they could tell me whether they agree with my interpretation of the rule. Would I be permitted to offer the amendment that I am proposing on the floor?

Mr. WOODALL. Will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Georgia.

Mr. WOODALL. I appreciate the gentleman's yielding. As a newcomer here to the U.S. House of Representatives, I would certainly defer to the Parliamentarian; but I'm encouraging everyone to bring every amendment. Bring every amendment, Congressman, to the House floor and offer that amendment for debate and discussion.

Mr. ANDREWS. Reclaiming my time, I would then respectfully ask the gentleman if the majority would then not lodge a point of order when my amendment comes to the floor.

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

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

Mr. ANDREWS. I yield to my friend, the gentleman from Georgia, to respond.

Mr. WOODALL. I would say to the gentleman that having an open process and abiding by the rules of the House is critical to getting our work done. And if the rules of the House permit this amendment, I look forward to supporting it.

Mr. ANDREWS. Reclaiming my time, I would just read the words of our Speaker on opening day when he said to us, You will always have the right to a robust debate in an open process that allows you to make your case and offer alternatives.

Always. I'm not sure if ''always'' applies to this rule.

Mr. WOODALL. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, at this time I yield 3 minutes to the gentleman from Washington (Mr. DICKS), the distinguished ranking member of the Committee on Appropriations.

Mr. DICKS. I appreciate the gentleman, Mr. MCGOVERN, yielding.

I want to stand here today and tell you that we're all worried about the economy. We're all worried about getting people back to work; we have 9 percent unemployment. But the reality is there are a lot more people who have lost their jobs who have given up looking or are underemployed. This is the most serious economic problem we've faced since the Great Depression.

Now, unfortunately, the choice of the majority is to cut very substantially into programs that are in the domestic accounts and $15 billion from defense. We all understand we have got to get spending under control and we have to eliminate waste, fraud, and abuse. We have to look at this oil subsidy issue, which the oil companies even are embarrassed about.

But what I worry about here is with this approach we are going to hurt the economy. We are going to drive unemployment up. We're going to drive the deficit up. And it is countercyclical. When you cut this much spending, it is going to hurt the fragile recovery, and it's not going to put people back to work.

The other side seems to think that by making these cuts that the private sector is going to say, ''aha'', and invest all kinds of money and create jobs to offset these cuts. As the Democratic majority leader has just said, there are highly regarded studies out there that show that 800,000 jobs will be lost because of this bill. That will have a major negative impact on the economy.

Also, one program that I looked into and I hope we can fix is the voucher program for homeless veterans. This has been a program that's been going on for about 3 or 4 years. Homeless veterans can get a voucher and go through

their public housing authorities and get a place to live. There are almost 30,000 people in this program; and the ones that are in it are doing better—less alcohol, less drugs. They're getting jobs. They're feeling better about themselves. And there is a need, according to General Shinseki, now head of the VA, for another 30,000 of these vouchers.

This money is in the 2012 budget request. It was in the 2010 budget request. The majority decided to terminate this program. I would hope we could reconsider that. The program is working, and we need another 30,000 of these vouchers.

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

Mr. MCGOVERN. I yield the gentleman an additional 15 seconds.

Mr. DICKS. The most recent data indicates that 10,000 of these veterans are from the Iraq and Afghanistan war. These are young people coming back who have served their country, and they deserve to have these vouchers if they need them. And we should restore this program. Again, I think we should vote against the rule, vote against the previous question.

Mr. WOODALL. Mr. Speaker, I am very proud to yield 3 minutes to a true American patriot, a lover of this country, the gentleman from Iowa, Mr. STEVE KING.

Mr. KING of Iowa. I thank the gentleman from Georgia, and I'm very glad to welcome him to the United States Congress. He knows a little bit about what's going on around this organism that we live and work and breathe in.

I come to the floor during this rules debate to raise a subject that I think needs to be brought before this Congress, Mr. Speaker, and that's this: that even though this House in H.R. 2, the second priority of the Speaker, voted to repeal ObamaCare and sent that bill over to the Senate where it was taken up and every Republican voted to repeal ObamaCare—so every Republican in all the United States Congress has voted to repeal ObamaCare. It was bipartisan in this House, by the former Speaker's definition. And even though that took place, we did not shut off the funding to ObamaCare because in a—I won't say a legislative sleight of hand—there was written in the ObamaCare bill automatic appropriations that just last week we were able to pull all those pieces out and add them up and we received a CRS report last Friday that shows that $105.5 billion are automatically triggered for spending that will implement ObamaCare whether or not we shut off the funds in this CR going forward. These are automatic appropriations.

I believed—and I've seen it for a long time and worked on this thing ever since mid-last summer—that we need to shut off all funding to ObamaCare in every appropriations bill going forward. And we had the assurance that we would have regular order. Well, the regular order that we have is an open rule that closes out an amendment that would shut off the funding that's automatically appropriated by ObamaCare. If we'd actually had a full regular order, I could have brought that amendment before a subcommittee of Appropriations—asked someone to do—or the full Appropriations Committee. And actually, at the request, I followed all those paths until such time it wasn't written into the bill, as was shutting off funding to transferring people out of Gitmo or cutting off the 1099 or the stimulus plan of the President's.

All of that is written out in the bill, but nothing is in the bill that allows us to write out the automatic $105 billion dollars. So we're faced with the automatic institutionalization of ObamaCare even while we cut this budget $100 billion. So I went to Rules last night and asked Rules, Protect my amendment from a point of order so this House can work its will.

□ 1310

Even though I have great respect for all of the members of the Rules Committee, and the tone and tenor of the debate and the dialogue in there could not have been better, the Rules Committee declined to do that.

I am here on this floor now, asking myself: How do I vote ''yes'' on a rule that I so oppose?

That's my position, Mr. Speaker. I think that, if we fail to act now, now while we have the maximum amount of leverage and the one of two pieces of must-pass legislation—that is the CR, and next is the debt ceiling bill—to shut off the funding to implement ObamaCare, we will have missed our chance. By the way, every appropriations bill will come to the floor with the same kind of rule that will block out anyone from offering any legislation that will shut off the funding, the automatic appropriations to ObamaCare.

So as much as it pains me to be standing here at this point, I can't figure out how I can vote ''yes'' on a rule that I so oppose.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. I thank my friend from Massachusetts.

I was very interested to hear the comments from our friend from Iowa. I couldn't sympathize more with him, and I know I will have his support later in opposing a point of order to an amendment I have to restore Metro funding here in the National Capital region and to offset it with some cuts in certain agricultural subsidies.

Mr. Speaker, today we debate the rule on the full year continuing appropriations act for 2011. While I understand and support the need to establish long-term fiscal responsibility, to reduce spending, to reduce the deficit, and to grow the economy, H.R. 1 is not the way. It takes a meat ax to American competitiveness and actually destroys jobs.

That's why I introduced the Build America Bonds Now to Create Jobs Act, legislation to extend the successful Build America Bonds program, a jobs bill. Creating jobs grows the economy, encourages American innovation, and positions us to remain the global economic leader. During the past 2 years, $4.4 billion from the Recovery Act leveraged $181 billion worth of projects to construct and repair schools, bridges, roads, and transit systems in more than 2,270 projects in every State of the Union.

According to Moody's Analytics chief economist and JOHN MCCAIN's 2008 Presidential campaign adviser, infrastructure investments in the Recovery Act resulted in 8 million new or protected jobs that otherwise would have been lost in 2009 and 2010. By extending the Build America Bonds program, we can do more.

I ask my colleagues to oppose this closed rule and to support the amendment to bring the Build America Bonds Now to Create Jobs Act to the floor. Let's create jobs. Let's grow the economy. Let's unleash America competitiveness.

Mr. WOODALL. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from the freedom-loving State of Idaho (Mr. SIMPSON).

Mr. SIMPSON. First, let's discuss the rule because we are here debating the rule.

Mr. Speaker, this is essentially an open rule. Yes, it does have a requirement for preprinting, but any Member can offer any amendment they want as long as they preprint it. Now, I understand my colleagues on the other side of the aisle might not like that. It's kind of foreign to them. For the last 4 years, we've had rules come to the floor that were closed. Members didn't have an opportunity to amend them. In fact, if we were under the previous leadership, what we would have here is a closed rule, an hour's debate on this CR. We would pass it and it would be done. Members wouldn't have an opportunity to influence the legislation before us.

This is part of this majority's promise that we are going to open the process and let the Members of Congress, the elected Representatives of the people, have a say in how we craft this legislation and in how it turns out in the long run. I don't understand, frankly, why Members would oppose the rule. I can understand their opposition to the underlying bill, but to oppose the rule makes no sense whatsoever.

Secondly, I rise in support of the underlying legislation. It is tough. The other side of the aisle continues to say all the right things: We've got to make tough decisions. We've got to enforce tough love. We've got to reduce the deficit. We've got to cut our spending. I hear those words and those phrases by every speaker who has come up. Yet

they oppose every effort to try to reduce the spending of the Federal Government as if it is a drastic reduction in what's going to happen and as if it's going to destroy our economy and destroy the Federal Government. Frankly, none of that is true.

Remember, as the gentleman from Iowa did say, we've got a $1.65 trillion deficit in this budget, $1.65 trillion. That's on top of the $14 trillion we're already in debt.

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

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

Mr. SIMPSON. There is no magic bullet. We know we can't balance this budget simply by reducing non-security, non-defense spending.

Yet as the saying goes: The journey of 1,000 miles begins with a single step. This is that first step.

Yes, we have to get after the entitlement programs if we're going to reduce this deficit. Yes, we have to look at all of our tax structure if we're going to get after this deficit; but we've got to do what the American people instinctively know is the right thing to do, which is to get back to a balanced budget and quit endangering the future of our children and grandchildren.

Mr. MCGOVERN. Mr. Speaker, I would like to have entered into the RECORD a statement as to why this is not an open rule and about the restrictions that are on Members who are wishing to offer amendments.

WHAT'S WRONG WITH A MODIFIED OPEN RULE?

A modified open rule such as this one imposes several restrictions on Members wishing to offer amendments:

It stifles the free flow of debate by preventing Members from offering amendments inspired by the debate or by other amendments.

Several years ago Chairman DREIER succinctly explained why an open rule is superior to a modified open rule. He said: "An open rule means that as the legislative process proceeds, as an amendment passes, it can spark an idea for an amendment that another Member may choose to offer with the changes that are made in the legislation."

A modified open rule also limits Members' ability to respond to changes on the floor that would require redrafting an amendment.

And the rule in front of us goes even further than any modified open rule I've ever seen by adding the unprecedented provision that prohibits using offsets from one subcommittee allocation to transfer funds to a different subcommittee allocation.

The rule finally provides for same day consideration of another rule for H.R. 1, which will allow the Republican Majority to report out a new rule shutting down the amendment process and take it to the floor that very same day. We haven't even begun debate, and already Republicans have prepared to further restrict this supposedly open process.

I think Chairman DREIER said it best just last month when describing a rule even less restrictive than this one. He said: "This is not an open rule. I want to make it very clear to all my colleagues again: This is not an open rule."

I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Speaker, I rise not only in strong support of the rule but also in strong support of the continuing resolution.

The American people didn't send us here to pass promises. They didn't ask us to start making tough choices next year. There is always next year, but our effort to rein in the size, scope, and cost of the Federal Government has got to start right now. This continuing resolution honors our commitment, starting with funding for the remainder of the 2011 fiscal year.

As chair of the Financial Services Subcommittee of the Appropriations Committee, I want to say that our financial services section contains a total of $20.4 billion, which is a $3.8 billion, or a 16 percent, reduction from fiscal year 2010 levels, and a reduction of $4.9 billion, or 19 percent, from the President's fiscal year 2011 request.

Reductions of this magnitude are really challenging but are very necessary given the fiscal situation facing the Nation. Priority funding in this bill is focused on the most essential programs, such as security for the courts, counterterrorism, financial intelligence operations, as well as drug task forces. Yet other programs can easily achieve the new efficiencies this fiscal environment demands, especially at the executive office of the President and the Treasury Department. These agencies should set an example for the rest of the executive branch by recognizing significant budget savings.

For the IRS, the committee believes the agency can achieve efficiencies and has reduced its funding accordingly. In addition, the bill prohibits the IRS from using CR funding to implement the 1099 provision in the health care reform act, which would cause great harm to our small businesses.

It also requires the GSA to become more efficient, and it eliminates funding for construction or major alterations to Federal buildings that have been earmarked in the past by Congress and by the President.

Government has to be accountable to the people and so must government spending. This bill strikes that balance, and it makes priorities at a time when our Congress and our country must begin to face some very tough choices.

Mr. MCGOVERN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I am very pleased to yield 2 minutes to the chairman of the Rules Committee, the gentleman from California (Mr. DREIER).

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

Mr. DREIER. Mr. Speaker, I want to begin by complimenting my friend. He has an amazing honor. He is able to make history here. We've not been able to find a time that a continuing resolution has been brought to the floor under a modified open rule, and he has done a suburb job in managing it.

I didn't really hear my friend from Worcester say much of anything, so I suspect he did a reasonable job in recognizing that we are making history and that we are going to, for the first time, allow any Democrat or Republican to stand up on this floor and offer an amendment to the appropriations bill that is going to be before us, the continuing resolution.

□ 1320

I think that, Mr. Speaker, it is important for us to recognize that it's not only a new day when it comes to the process in this House for us to consider appropriations bills, but it's a new day in that we have stepped forward and recognized that if we don't get our fiscal house in order and bring about dramatic spending cuts, our future is very much in question. And I say that because people used comparisons to crazy places like Greece and California when they talk about the potential problems that the United States of America faces. And I've got to say that, if we don't bring about these kinds of spending cuts, we are going to be passing on to future generations a responsibility that they do not deserve to have. That's why it's up to us to do our job and make sure we get our fiscal house in order.

I mean, as the distinguished chair of the Committee on Appropriations, Mr. ROGERS, has said so well, the cuts in this bill that are going to be before us are larger than the gross domestic product of 126 countries, and that's why we've got a monumental responsibility and a chance for Democrats and Republicans together to work on this thing.

And I'm so pleased to see my friend NORM DICKS, the distinguished ranking member, already working on his great product that's going to be coming forward as we seek to have the two of us come together as political parties to resolve our Nation's challenges.

Mr. MCGOVERN. Mr. Speaker, I will yield myself the balance of my time.

Mr. Speaker, Democrats very much want to eliminate wasteful spending. We are committed to making the tough choices to get this budget more balanced, to get our deficit reduced, and start paying down the debt. That's not the issue. The issue is where do you make those cuts.

My friends on the other side of the aisle talked about shared sacrifice. Well, the only people that seem to be sacrificing under their approach are middle-income families and the poorest of the poor in our country. A few weeks ago, at their insistence, millionaires and billionaires got an extension of the Bush tax cuts at a cost of billions of dollars in terms of more borrowed money added on to our deficit. So the

Donald Trumps of the world are not sacrificing.

Big Oil is not sacrificing. Just to put it into perspective that BP, Chevron, ConocoPhillips, ExxonMobil, and Shell made a combined profit of over $1 trillion during this past decade, and yet taxpayers are subsidizing Big Oil companies. Why? And for all the talk about how open this rule is, we can't come up with an amendment that is germane or that will be made in order to go after the subsidies because they are protected.

I mentioned, earlier, the war. We borrowed $450 billion last year. Our soldiers are sacrificing, their families are sacrificing, and we're not paying for the war. We're just putting it on our credit card. That is unconscionable, and yet an amendment is not eligible to be brought up to insist that we pay for this war.

So where do they cut? Education, more than 200,000 kids kicked out of Head Start and thousands of teachers would lose their jobs. An $800 reduction per student in the maximum Pell Grant award. Innovation, 20,000 fewer researchers supported at the National Science Foundation trying to find a cure to cancer; a $1.4 billion reduction in science and energy research to spur a clean energy economy of the future; $2.5 billion in cuts to the National Institutes of Health, again, trying to find cures for diseases like cancer, diabetes, Alzheimer's. If we found a cure for Alzheimer's, we would never have another problem with Medicaid again. Yet you are cutting back on those important investments. High-speed rail being cut back. A loss of 25,000 construction jobs if your bill becomes law. You're cutting cops and firefighters, and yet we're protecting the very wealthy in this country. We're protecting subsidies to major oil and gas companies. It is just wrong, Mr. Speaker.

Mr. Speaker, I would urge my colleagues to defeat the previous question so that I can offer an amendment to the rule to provide that, immediately after the House adopts this is rule, it will bring up H.R. 11, the Build America Bonds to Create Jobs Now Act.

Unlike the irresponsible bill the Republicans want to bring up, which will cut jobs, threaten American innovation, and slash initiatives that create economic growth, this bill will spur job creation here at home by extending through 2012 the successful Build America Bonds to help State and local governments finance the rebuilding of American schools and hospitals, water systems and transit projects at significantly lower costs.

It has been calculated that every $1 billion in Federal funds invested in infrastructure creates or sustains approximately 35,000 jobs and $6.2 billion in economic activity.

Build America Bonds are broadly supported by American business, the construction industry, and President Obama, as well as State and local governments. And at a time of fiscal restraint, they're a good deal for the American taxpayer, wisely using small public investments to leverage significant private funds to rebuild America and create jobs.

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

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I urge my colleagues to vote ''no'' and defeat the previous question so that we can debate and pass real jobs legislation. The American people want us to talk about jobs and how to create jobs and protect jobs. This will do it.

So I urge a ''no'' vote on the previous question and a ''no'' vote on the rule.

I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, I will say again, I can't believe that here on my first rule we have an open process; for the first time in the history of this House, the best I can tell, an open process on a continuing resolution. Now, we're only dealing with this continuing resolution because of the mess we were left in last year, and we're doing the very best we can with it.

You've heard words like ''draconian,'' ''decimates,'' ''slashes.'' I want to put it in terms that I think we can all understand. I want you to think about it in terms of your family grocery budget, Mr. Speaker. If you went to the grocery store today and bought your groceries for a month, our friends on the other side would have you believe that we want you to fast for an entire day, because that's about what it is, this $100 billion, about 1 day out of a month's grocery budget.

But if you took that 30 days of groceries and you spread those 30 days around—and that's what we do under an open process. We let you spread it around—add where you want to add; cut where you want to cut; spread that around. Can we do that? Can we do that as a very first step towards getting our fiscal house in order? Not only can we do it, Mr. Speaker, we must do it.

I'm grateful to the leadership for allowing us to do it. I urge a strong ''yes'' vote on the rule.

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

AN AMENDMENT TO H. RES. 92 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following new sections:

SEC. 4. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 11) to amend the Internal Revenue Code of 1986 to extend the Build America Bonds program. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the Majority Leader and Minority Leader or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 5. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 4 of this resolution.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

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

then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

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

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

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

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

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

Mr. WOODALL. 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.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. WOODALL. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 17

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, February 17, 2011, Friday, February 18, 2011, or Saturday, February 19, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, February 28, 2011, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, February 17, 2011, through Friday, February 25, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, February 28, 2011, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

□ 1330

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

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

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

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

The point of no quorum is considered withdrawn.

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: ordering the previous question on House Resolution 92; adopting House Resolution 92; and adopting House Concurrent Resolution 17.

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

PROVIDING FOR CONSIDERATION OF H.R. 1, FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2011, AND WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 92) providing for consideration of the bill (H.R. 1) making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes, and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 240, nays 179, not voting 14, as follows:

[Roll No. 38]

YEAS—240

Adams
Aderholt
Akin
Alexander
Altmire
Amash
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
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Davis (KY)
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
Gingrey (GA)
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
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
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
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NAYS—179

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
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
Hanabusa
Harman
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—14

Berkley
Carnahan
Clay
Culberson
Giffords
Hoyer
Lewis (GA)
Lowey
Nadler
Rush
Scott, David
Tierney
Watt
Young (FL)

□ 1355

Mr. KUCINICH, Ms. WASSERMAN SCHULTZ, Mr. RUPPERSBERGER, and Mr. ACKERMAN changed their vote from ''yea'' to ''nay.''

Messrs. PEARCE and YOUNG of Alaska changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. BOEHNER was allowed to speak out of order.)

THE HOUSE WORKS BEST WHEN THE HOUSE IS ALLOWED TO WORK ITS WILL

Mr. BOEHNER. My colleagues, I think a lot of you know that I have always believed that the House works best when the House is allowed to work its will.

I think all of you know that we are embarking on a more open process in this Congress, and it will start today with the consideration of this continuing resolution.

I take to the well to suggest to the Members that we want all Members to be able to participate in the debate here in the House. We also want to keep our commitment to the Members to meet the schedule that we have outlined for everyone. That means, as we go through the next couple of days, I am going to ask Members on both sides of the aisle to try to bring your amendments together, to try to respect the amount of time that is being taken so that all Members have an opportunity to be heard and to participate in the debate.

We have never had an open process for a continuing resolution in our history; so we are into some uncharted waters. I am ready to expect whatever. But I do believe that this process is important for all the Members, and I want this week for all of us to get started down this road working together so that, as we get into the weeks and months ahead, we can show the American people that the House can work together, the House can work its will. And, at the end of the day, I think the American people will be better served by our service.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

There was no objection.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 242, nays 174, answered ''present'' 2, not voting 15, as follows:

[Roll No. 39]

YEAS—242

Adams
Aderholt
Alexander
Altmire
Amash
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Davis (KY)
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
Gingrey (GA)
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
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Perlmutter
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
Ryan (WI)
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
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NAYS—174

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
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
Hanabusa
Harman
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
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)
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

ANSWERED ''PRESENT''—2

Bachmann
King (IA)

NOT VOTING—15

Akin
Berkley
Carnahan
Clay
Culberson
Giffords
Hoyer
Landry
Lewis (GA)

Nadler
Napolitano
Rush
Tierney
Watt
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1406

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. LANDRY. Mr. Speaker, earlier today I was unavoidably detained during rollcall vote No. 39, the vote on H. Res. 92, providing for consideration of the bill (H.R. 1) making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes, and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules. Had I been present for this vote, I would have voted "aye."

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

The SPEAKER pro tempore. The unfinished business is the question on adoption of the concurrent resolution (H. Con. Res. 17) providing for an adjournment or recess of the two Houses, which the Chair will put de novo.

The Clerk read the title of the concurrent resolution.

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

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

RECORDED VOTE

Mr. WOODALL. 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 243, noes 176, not voting 14, as follows:

[Roll No. 40]

AYES—243

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Critz
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
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
Heinrich
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pascrell
Paul
Paulsen
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
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

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Ackerman
Andrews
Baca
Bachmann
Baldwin
Barrow
Bass (CA)
Becerra
Berman
Bishop (GA)
Bishop (NY)
Boren
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Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
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Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Harman
Hastings (FL)
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (CA)
Lipinski
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Lofgren, Zoe
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Michaud
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Napolitano
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Pallone
Pastor (AZ)
Payne
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
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—14

Berkley
Carnahan
Clay
Giffords
Honda
Hoyer
Lewis (GA)
Nadler
Rehberg
Ros-Lehtinen
Sewell
Tierney
Watt
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1413

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on H.R. 1 and insert extraneous material thereon.

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

There was no objection.

FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2011

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

□ 1414

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. 1) making appropriations for the Department of Defense and other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes, with Mr. LUCAS 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 Kentucky (Mr. ROGERS) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield myself such time as I may consume.

The continuing resolution on the floor today represents the largest reduction in non-security discretionary spending in the history of the Nation. It funds the Federal Government for the remainder of the 2011 fiscal year, but, most importantly, Mr. Chairman, it answers taxpayers' callings to right our Nation's fiscal ship, making specific, substantive and comprehensive spending reductions, cutting more than $100 billion, compared with the President's fiscal 2011 budget request.

This CR reverses a trend of out-of-control Democrat spending over the last 2 years that has increased overall discretionary funding, including stimulus, by 84 percent in 2 years. Never before has Congress undertaken a task of this magnitude, but never before have we been faced with a deficit crisis of this scale. The government is borrowing over 40 cents of every dollar that it spends.

Our constituents sent us a clear, decisive message in the last election. They want government to spend less, stop undue interference in American lives and businesses, and take action to create jobs and get our economy moving again. Through the Republican Pledge to America, we made the commitment to do just that, and today we offer the first step in fulfilling these promises by presenting a spending package to the American people that makes deep but manageable cuts in nearly every area of the government.

This bill is about shared commitments and shared sacrifice. Make no mistake: These cuts will not be easy, and they will affect every congressional district. But they are necessary and long overdue. Although we recognize that every dollar we cut has a constituency of support, an association, an industry, individual citizens who will disagree with our decision, these cuts are the necessary difficult work by our subcommittees to make the smartest and fairest reductions possible.

No stones were left unturned, no programs were held sacred. The Appropriations Committee went line by line to craft a responsible, judicious CR, one that will allow our economy to thrive, our businesses to create jobs and our national security to be strengthened. Our subcommittees scoured the budget for wasteful activities and cleaned out excessive and unnecessary spending, while prioritizing the most essential and effective programs, including $460 million for accelerating the process through which veterans resolve their health care claims and an additional $13 million for increased oversight of the Troubled Asset Relief Program, TARP.

The CR includes absolutely no earmark funding and eliminates all previous earmark funding from fiscal year 2010, saving taxpayers approximately $8.5 billion. Furthermore, it includes a provision to eliminate any unobligated stimulus funding approved in the American Recovery and Reinvestment Act, another $5 billion of taxpayer dollars saved.

As we help put our Nation's budget back into balance, we are finding real savings that are justifiable to the American people and that will stop the dangerous spiral of unsustainable and irresponsible deficits.

In addition, this CR is only the first of many appropriations bills this year that will significantly trim Federal spending. It is hard-and-fast proof that we are serious about returning our Nation to a sustainable financial and fiscal path.

□ 1420

However, so that we can continue the important work of reducing spending in our regular budgetary work for this year, the House, Senate, and White House must come together to complete this process before March 4, when our current funding measure expires. It is critically important that the House move this CR to avoid a government shutdown and get these spending cuts passed by the House, over to the Senate, and let them act their will to avoid a shutdown, and then get the bill to the President. The American people expect no less.

I reserve the balance of my time.

Mr. DICKS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, it is clear that a debt crisis is looming. There is no denying that we need a comprehensive plan to reduce the debt over the long term. What the majority offers instead in this bill is a one-dimensional focus on the smallest segment of spending in the Federal budget. We believe that at this time we should be putting everything on the table: discretionary spending, entitlements, and taxes. Without a more comprehensive approach to this debt crisis, we cannot effectively change the trajectory and begin to bring our public debt downward. Without a more comprehensive budgetary approach, what we would be offering to the American people would be what Alan Simpson has called ''a sparrow's belch in the midst of a typhoon.''

As we address the debt crisis, it is fundamental that we should first do no harm to the fragile economic recovery. Here I am just echoing what many others have said. As the bipartisan Fiscal Commission put it, ''In order to avoid shocking the fragile economy, the Commission recommends waiting until 2012 to begin enacting programmatic spending cuts, and waiting until fiscal year 2013 before making large nominal cuts.''

Fed Chairman Ben Bernanke in his testimony last week to the House Budget Committee said, ''To the extent you can change programs that will have long-term effects on spending and revenues, that will be a more effective and credible program than one that focuses only on the current fiscal year. The right way to do this doesn't put too much pressure on the ongoing recovery.''

As the Democratic leader just said, there is a recent analysis done by the Economic Policy Institute that says a full $100 billion cut to discretionary spending would likely result in job losses on the order of 994,000, using OMB's GDP projections and CBO projections based on current law, and assuming a fiscal multiplier of 1.5 percent.

So this is a very serious matter. We Democrats support dealing with waste, fraud, and abuse. We want to see a program. I personally support President Obama's 5-year freeze on domestic spending, with puts and takes, because it doesn't cut as much in the first year. This is all about timing. And I recognize that my colleagues over on this side of the aisle believe and think that what they're doing is going to have a positive economic effect and that this will somehow create economic activity and lower the deficit, lower unemployment. I hope and pray they're right, because if what I think and most economists—reputable economists—think is true, this will have a negative effect and hurt the economy and hurt the people that are out there who are unemployed.

So I think we need to think about this very, very carefully. And cuts of this magnitude, as the chairman said, have never been done before. We are in uncharted waters. We all recognize that we have to have a plan for the deficit. But the plan has to include entitlements, has to include taxes. Discretionary spending is one-third of the budget. You could cut and cut and cut, and you're still not going to solve the problem.

So, hopefully, we can do what we did in the 1980s with Tip O'Neill and Bob Dole, and that is have a bipartisan approach, like they're doing in the Senate today, where Democrats and Republicans get together and work on all of these issues and come up with a credible plan. That is the way to do this.

And I see my good friend, Mr. YOUNG from Florida. I just want to say that I have enjoyed working with him for over 30 years, and I strongly support the defense part of this bill. The defense part of this bill has been worked out on a bipartisan basis by the Defense Subcommittee. It does make reductions in spending but it does it in a very careful and professional way. And I want to commend the gentleman from Florida for his leadership over the years on national security issues.

I reserve the balance of my time.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 3 minutes to the chairman of the Republican Conference in the House, the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding.

Mr. Chairman, if we want to have jobs today, if we want to protect our children from bankruptcy tomorrow,

we've got to quit spending money we don't have. There is a debt crisis in America, and it is spending driven, being led by the President and other friends from the other side of the aisle. It is a true crisis. The Chairman of the Joint Chiefs of Staff, Admiral Mike Mullen, has said the biggest threat we have to our national security is our debt. One of these reputable economists that the previous gentleman spoke about, Robert Samuelson, has said this spending could trigger an economic and political death spiral. Democrat Erskine Bowles, who headed up the President's Fiscal Responsibility Commission, said the ''debt is like a cancer. It's truly going to destroy the country from within.'' And what do we have, Mr. Chairman? We have the President presenting a new budget that will again double the national debt in 5 years, triple it in 10, add $13 trillion worth of red ink to the Nation's debt. This is after expanding garden-variety government 84 percent in 2 years, nondefense discretionary. Mr. Chairman, you can't spend money you don't have. Massive debts lead to massive tax increases. Massive tax increases lead to no jobs.

The Chairman of the Federal Reserve has said one of the best ways that we can improve jobs today is to put our Nation on a sustainable fiscal course. And I heard the gentleman say that entitlement spending should be on the table. Clearly, the President hasn't gotten the message. It's not what we saw in his budget. We haven't seen it in any other Democrat budget. So it would be wonderful if we saw it. But we don't see it.

I talk to business people in my own district, Mr. Chairman, like Diane Ford of Kaufman, Texas, a small business lady. When she stares in the face of this debt and she sees the tax increase, she writes, ''Congressman, I couldn't hire any more employees. I couldn't expand my business. I would definitely have to close up shop. As a small business owner, I'm afraid of my future.'' Small business people all around the Nation know that massive debt leads to massive tax increases. It leads to no jobs. If we want to create jobs, we have to take care of this debt.

And think about future generations, Mr. Chairman. I heard from one of my other constituents who said, ''I've never felt so embarrassed and ashamed about anything I've done in my life as I do about leaving this mess in the laps of Tyler and Caitlin, my precious grandkids.'' He's talking about the national debt.

To protect future generations, to create jobs today, we've got to quit spending money we don't have. And I want to congratulate the chairman of the Appropriations Committee for his excellent work in turning the corner.

Mr. DICKS. Mr. Chairman, I yield 4 minutes to the gentleman from Virginia (Mr. MORAN), the ranking member of the Interior and Environment Appropriations Subcommittee.

Mr. MORAN. Mr. Chairman, I have been on the Appropriations Committee for 17 years. Eleven of them were under Republican control, eight under a Republican President. And I'm proud of the investments that we've made in this country during those 17 years. We were stronger, more secure, a more productive economy as a result of those investments.

□ 1430

We've improved the lives of Americans. We've cleaned up our water. We've invested in transportation, our national defense, our education system. That's why we have the strongest economy and why, in fact, we continue to be the very best place on the planet to live, to work, and to provide a better future for our children.

What we are doing in this continuing resolution is targeting those programs that are called ''domestic discretionary.'' They represent about 4½ percent of the entire budget, and they have stayed pretty well even. During the Reagan administration, during the Clinton administration, during the Bush administration, which was when we had the lowest job growth ever, they were at about 7½ percent.

The fact is we are not going to balance our budget by targeting that small amount of the budget. The reality is that, when President Reagan left office, tax receipts were about 18.2 percent. They went up a bit during the Clinton administration when we had the greatest expansion ever and when, in fact, people at the highest rate of income tax pocketed more money after taxes than at any time in American history. Right now, they are at 14.9 percent of GDP.

I would suggest, Mr. Chairman, that the problem is not one of not investing enough in our country, but one of the revenue being brought in and its being grossly inadequate. In a historical context, we can prove that to be the case. When revenue goes down that low, our economy shrinks; and it becomes a self-defeating cycle.

Now, in the Interior and the Environment appropriations bill, some of the things we do is take out the program that uses offshore oil revenues for the Land and Water Conservation Fund, which protects our Nation's precious lands. We are going to dramatically cut construction and maintenance at our national parks, refuges and forests. We are going to take the money away from the Governors and mayors throughout the country for the plumbing that goes underneath our land, what's called the Clean Water and Safe Drinking Water Revolving Fund. That's money they desperately need to ensure the public's health. We take it for granted. We won't take it for granted anymore if we stop those grants.

This bill will not create a single new job. In fact, we estimate it will cut about 800,000 jobs, both public and private. That's not worthy of this Congress on either side of the aisle to be cutting jobs. What we need to be doing is investing in jobs, investing in education, and making sure that children who have been born in particularly difficult social and economic conditions have access to Head Start.

Don't cut $1 billion out of Head Start. Don't cut kindergarten through 12 education, which is the seed corn of our future. Those aren't investments. Those are arbitrary cuts. That's not what we have been about, and that's not how we enable this country to be as strong and as great as it is.

I would suggest, Mr. Chairman, that when we do our budget analysis that it be done with a scalpel, like a surgeon would approach it, not with a meat ax. We should respect all of the good work that the appropriations committees have done over the years in making this a better country as a result.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 4 minutes to the immediate past chairman of the committee, the now chairman emeritus of the committee, the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. I very much appreciate my colleague, the chairman, for yielding.

Mr. Chairman, some of my colleagues say they are shocked at the spending reductions we have proposed here. No one should be surprised. For the past several years, Congress and the administration have been spending like there is no tomorrow.

Since FY '08, we have increased nonsecurity discretionary spending by almost 25 percent. In some areas, it has jumped by nearly a third in 2 years. Those were historic spending increases, and they don't even include the $800 billion that was in the massive failed stimulus package. That was such a huge amount of money that some agencies still have not been able to spend it 2 years later.

Well, my colleagues, tomorrow is here. The bill is coming due; and if we do not find a way to stop spending, we are headed towards fiscal disaster.

This absolutely should surprise no one. Republicans on the Appropriations Committee have been warning for 2 years that we cannot continue spending this way. We tried to stop it, to at least slow it down; but for the past 2 years we have not even been able to get an amendment to change the direction of our spendthrift ways.

So now we are faced with record deficits. The President's budget predicts an all-time high of $1.65 trillion in red ink next year. We have been warned that the Federal debt limit of $14 trillion must be increased. Within a decade, our Federal debt could equal more than 70 percent of our GDP.

Without question, this kind of spending is going to run our Federal budget off a cliff, and it will do more harm to our economy than we've seen from the current terrible recession. At least a third of our national debt is owned by foreign nations and investors. What will they do if we cannot begin to pay it down?

Last year, we paid nearly $415 billion in interest on our national debt. That is more than we spent on any discretionary government program other than defense. That is hundreds of billions of dollars not being spent to create jobs, not being spent to fix our roads, not being spent to secure our Nation; and it will continue to grow at an ever faster rate as long as we keep running up these huge deficits.

The American people told us last November that it is time to stop. They were alarmed enough to raise questions all over the country. They, indeed, at the polls indicated that we needed to find a new direction. They want fiscal sanity. They want us to stop spending now before it is too late. The spending reductions in this package are extremely painful. The cuts will affect programs supported by every Member of this House. When Americans begin to understand what is being reduced, we will all be receiving calls from people who are asking us to change our minds.

We must resist these calls for more spending. We cannot become Europe, where citizens believe that government can do everything. We cannot let the United States become another Greece or another Ireland or another Portugal—faced with fiscal collapse.

We have to make the decision now. These cuts will seem harsh, but we cannot avoid them. We cannot settle for half measures in the hopes that in 5 or 10 years we will stop adding to this terrible Federal debt. This is just the down payment. We need to begin entitlement reform to really solve our fiscal problems, but we must start now and we must start here.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the gentlewoman from Connecticut, Congresswoman ROSA DELAURO, who is the new ranking member on the Health and Human Services Appropriations Subcommittee and who was the former chairman and ranking member on Agriculture.

Ms. DELAURO. I rise in opposition to this continuing resolution.

Mr. Chairman, Americans want us to work together to address their top priority—creating jobs, fostering economic recovery. Unfortunately, the majority's priorities are deeply out of touch with those of the country.

Democrats are committed to reducing the deficit. We believe, as taxpayers do, that we should start by ending tax subsidies and special interest waste. We should be slashing oil companies' subsidies first. We must make programs accountable and end the ones that do not work. We can no longer afford to continue the tax breaks for the top 2 percent of the country. Republicans are in a reckless rush to slash without regard to the impact on our economy, on the businesses which create jobs or on middle class or working families who are being responsible, doing the best for their families and educating for the future.

□ 1440

They are hitting ordinary, hard-working families with children, our young people trying to get an education, and the elderly. That is their starting point.

Under their budget every student in America receiving a Pell Grant, close to 9 million people, will see their aid slashed by almost $850 a year; 1.3 million students will lose their supplemental education opportunity grants and, thus, the ability to pay for college. Their plan cuts more than 200,000 kids out of Head Start, kids who will forever lose the opportunity for an early childhood education. They cut aid to school districts and special education. They will cut 55,000 Head Start teachers and close down 16,000 Head Start classrooms.

As with education, so too with jobs. In the midst of a recession and a tough labor market, training and employment services, proven-to-work programs are cut now by $5 billion. That means 8.4 million job seekers, flesh and blood human beings, could lose access to this aid completely.

In these tough economic times, it's our low-income seniors who are the most vulnerable. This budget eliminates at least 10 million new meals delivered to the homebound elderly, cuts fuel assistance for them as well. It will force seniors to either go hungry or move into nursing homes and others to have to choose whether to eat or to stay warm.

The challenge is not whether we address the deficit and spending or not. The question is where do we start to cut. Do we start with slashing ineffective programs and special interest waste, like $40 billion in oil company subsidies? Or do we start cutting those that help the middle class, our businesses, and working families with children, and seniors?

Our job is to get this budget back to common sense, to create jobs, to get this economy running again for the people of this Nation. This continuing resolution offered by the Republicans will do neither.

Mr. ROGERS of Kentucky. I yield 3 minutes to the chairman of the Labor-HHS Subcommittee on Appropriations, the gentleman from Montana (Mr. REHBERG).

Mr. REHBERG. Thank you, Mr. ROGERS.

Members of this body, I have an obligation as chairman of the Appropriations Subcommittee on Labor, Health and Human Services, and Education to tell you the simple truth. We're bleeding cash, piling up liabilities, and trying to postpone the day of reckoning; and as a result, America is in a financial free-fall.

In 4 quick years, Congress made what was a spending problem into a spending crisis. We on this side of the aisle wanted to create jobs; you wasted time on a health care reform bill that did not reform health care. While we wanted to build an economy, you wasted time building government. Unfortunately, many in Washington, D.C., especially on Capitol Hill, are in denial.

My colleagues, it's time to stop pretending that the well of wealth in this country is bottomless. We must address spending now, or it will be worse next year.

Two years ago, the Congress passed a stimulus bill totaling nearly $1 trillion. Unfortunately, now we know it did not stimulate. And we know a lot of money went for programs, not necessarily bad programs, but programs that couldn't stimulate the economy. But the biggest travesty of Washington's stimulus spending spree is not that it was a waste of money; it's that the money has been stolen in plain sight from our children and grandchildren. That is what taxation without representation looks like in the 21st century, and it means our Nation's fiscal mess is not just a math problem. It's a moral problem, and we owe it to our children to have much better leadership.

That's why I stand before you with a savings of $23 billion in the three Departments I have responsibility for. No program is immune from waste. So there are no more sacred cows. No law, regulation, or program is perfect or timeless. If something is not working, we will fix it or eliminate it. In my subcommittee, we want to help people, to help train people, to help educate people; but we've learned repeatedly that simply throwing more and more money at well-intentioned programs does not necessarily work.

Those who want to spend money have the burden of proof; and with the debt crisis we face, that burden is a heavy one. Those seeking funding have to prove that the programs are working. Show us the results. Show us that the benefits outweigh the costs. Show us that government can do a better job with this money than the private sector.

This continuing resolution is a change in direction, away from looking to bigger government solutions to empowering individuals and small businesses to create jobs and grow this economy. Anyone who relies on Federal funding has a patriotic duty to look for ways to get by on less for the sake of our country's future today and tomorrow.

Mr. DICKS. I yield 3 minutes to the distinguished former chairman and now ranking member of the THUD Appropriations Subcommittee, the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. I thank the gentleman for yielding time.

Mr. Chairman, this continuing resolution clearly endangers the fragile recovery of America's economy. While I have the greatest respect for Chairman LATHAM, he has been saddled with an irrational task of cutting $15.5 billion, a 23 percent cut, from the ''Transportation and Housing'' title of the resolution. I cannot fathom how the new majority, which proclaims to be all about

jobs, could as their first piece of business impose deep cuts upon the very programs that have the greatest potential for creating jobs and that provide the necessary foundation for a strong economic recovery.

Specifically, the continuing resolution cuts funding for the Community Development Block Grants program by more than 60 percent to by far the lowest level since the program was created in 1975 under a Republican President, President Gerald Ford. As a result, over 1,200 cities and towns across all 50 States will be forced to shelve local economic development projects in every one of our districts, and the associated 45,000 jobs will be lost.

In addition, the bill proposes to cut over $7 billion in transportation and infrastructure investments. This includes reductions that force Amtrak to lay off roughly 1,500 employees and will halt work on 76 TIGER grants already announced in 40 States and cancel the associated 25,000 construction jobs.

Finally, as we consider the ongoing housing needs of our most vulnerable citizens, this bill reduces by $760 million, a 75 percent cut, programs serving elderly and disabled persons, handcuffing our ability to keep up with the support required to meet the needs of our expanding and aging senior population.

In addition, the $75 million cut to our Veterans Affairs Supportive Housing, VASH, program is frankly appalling. Just last week, HUD released a report indicating that more than 76,000 veterans are homeless on any given night and that vets are 50 percent more likely to be homeless. Yet the majority's bill turns its back on our homeless vets, leaving them literally out in the cold.

Mr. Chairman, while I'm glad this bill does not meet the Republican majority's pledge to cut $100 billion in non-security spending, it will still have a dramatic negative impact on American families, while making no more than a ripple in the ocean of additional national debt caused by the massive tax cuts adopted during the Bush administration, at the very time that America has engaged in two trillion-dollar wars in the Islamic world.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 1 minute to the chairman of the Transportation and HUD Subcommittee on Appropriations, the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. I thank the gentleman from Kentucky.

Mr. Chairman, I would just maybe respond a little bit to what the gentleman from Massachusetts just said. The fact of the matter is there will not be a veteran, a homeless vet, that will not get a voucher. The fact of the matter is there are 30,000 vouchers available today. Only 19,000 of those have been used. There are 11,000 vouchers waiting; and the problem basically is with the Department, with HUD and VA, as far as trying to write the rules to actually get these people the vouchers they need.

So any kind of characterization that we're putting vets out in the cold is absolutely untrue. You have your opinion, but the facts speak for themselves.

□ 1450

Now also we are not reducing any such section 8 vouchers. They will remain. No one is going to be put out anywhere. We maintain those programs for those folks, and to characterize it in any way differently simply is not factual.

Mr. DICKS. I yield myself 1 minute.

I would say to the gentleman, here is the problem: There are, I think, about 29,000 of these vouchers out there now. And you are correct; some of them haven't been able to find a place to live yet. Secretary Shinseki, who I talked to personally about this, and Secretary Donovan have said there are 60,000 of these veterans who need this voucher. So there are 30,000 more that we need to do. I was shocked when I saw on the list of terminations that your side decided to terminate this program. I hoped you would reconsider that.

Mr. LATHAM. Will the gentleman yield?

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

Mr. LATHAM. There are 11,000 vouchers sitting there unused today. There are 19,000 that have been issued. The gentleman knows that we are not cutting those. There are 11,000 still available under this bill. And we are going to review this as we go through for the next fiscal year, 2012.

Mr. DICKS. That is what I was going to ask the gentleman. I would like to work with him on this. So if that's the gentleman's intent, then we will work together and try to get the job done.

Mr. LATHAM. I appreciate that. I thank the gentleman.

Mr. DICKS. I now yield 3 minutes to the gentleman from New York (Mr. SERRANO), the former chairman and now the ranking member of the Financial Services Committee.

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

Mr. SERRANO. The continuing resolution that we are voting on today is irresponsible and extreme. We all recognize that we should take reasonable steps to address our deficit. However, what we are voting on today makes cuts that will harm our students, our public safety, our health, and our environment.

When I served as chair of the Financial Services Subcommittee, I worked hard to make sure that we protected the consumer, the investor, and the taxpayer. The agencies funded by this subcommittee ensure that Americans can have confidence in the products that they use and the security of their investments. The CR that we are considering today, with its cuts to the IRS and the Securities and Exchange Commission, fails to provide sufficient resources to meet these challenges.

IRS funding will be cut by $600 million, and this will have an immediate impact on taxpayer services as we approach the busy tax season. The IRS will be forced to cut as many as 4,100 employees, mainly enforcement agents, and this will harm the ability of the IRS to find tax cheaters. It is important to remember that if we reduce the government's ability to collect taxes, this will actually increase our deficit, since enforcement resources have a $7-to-$1 return on investment.

The Securities and Exchange Commission will see a $41 million reduction from last year, which will prevent it from hiring the staff it needs to carry out the critical new Dodd-Frank financial oversight functions that it has been given. This will mean that hedge funds, credit rating agencies, and broker-dealers will continue to operate without regulation, adding to an increased risk of another fiscal meltdown.

As chair of this subcommittee, I also worked hard to make sure that capital and other assistance went to small businesses and low-income communities. A key part of this was making sure that the Community Development Financial Institutions Fund had the resources it needed to support financial institutions making investments in disadvantaged communities. Under the continuing resolution which we are voting on today, the CDFI Fund will get slashed from $246 million last year to just $50 million this year. This will mean that more than 19,000 jobs will non-materialize, more than 14,000 affordable housing units will not be built, and more than 3,100 small businesses will not be assisted.

I am particularly distressed that the majority party decided to meddle once again in the District of Columbia's local affairs. We should all be able to agree that D.C. should be left alone to decide how to spend its own locally derived funds. One local program that the majority has decided to ban is the syringe exchange program. The science on this is clear: Giving addicts clean needles does nothing to drive up drug use, but it does do wonders to prevent the spread of HIV/AIDS. Even if you do not believe the science, you should not meddle in the District of Columbia.

Another impact of the funding resolution we are voting on today will be a weakening of the equitable and efficient administration of justice in the Federal courts. The $476 million cut to the Judiciary will force the federal courts to lay off more than 2,400 support staff and stop payments to the attorneys who represent indigent criminal defendants.

There are numerous other cuts across the range of Agencies that are included in the Financial Service and General Government section—some that would severely impact jobs and others that would negatively affect our election practices. For example, the General Services Administration (GSA) Federal Building Fund will see a cut of $1.7 billion from FY2010, which will result in the elimination of nearly 16,000 private sector construction jobs

and as many as 40,000 janitorial and maintenance jobs. The Election Assistance Commission will see a huge budget drop from $93 million last year to $10 million this year, effectively ending its work to help states improve their election practices and equipment.

So let me conclude by saying that the deficit cutting approach that we are voting on today will not only result in significant harm to America's consumers, investors, taxpayers, workers, businesses in disadvantaged communities, and the security of our elections, but it will also impact education, housing, transportation, health, the environment and all facets of our economic recovery. I would urge my colleagues to vote no.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 3 minutes to the chairman of the Homeland Security Subcommittee, the gentleman from Alabama (Mr. ALDERHOLT).

Mr. ADERHOLT. I thank the chairman for yielding.

Mr. Chair, as many have said here today, our government has a spending problem, and the American people are demanding that we find a solution. This CR that is before the House today is a step towards finding a solution to that problem.

The homeland security title of this CR strikes the right balance between funding priority programs that are essential to our Nation's security and at the same time keeping our discretionary spending in check. This CR provides a total of $41.5 billion in discretionary funding for the Department of Homeland Security. This funding level is $1 billion, or 2.4 percent, below FY 2010 and $2.1 billion, or 4.8 percent, below the President's FY 2011 request.

In contrast to previous annual spending bills, this CR provides funding for the annual costs of disasters from within the existing budget. So rather than relying upon emergency supplementals, the CR responsibly addresses the $1.6 billion shortfall in disaster relief costs that the President has failed to address in the 2011 budget request. Supporting the cost of security demands truth-in-budgeting, and we are delivering where the President and OMB have failed.

Having said that, the Department of Homeland Security is not immune from fiscal discipline. Underperforming programs have been significantly cut in this CR that we are debating today. Let me add, by implementing these cuts, we are not choosing between homeland security and fiscal responsibility. Both are serious national security issues, and they must be dealt with immediately. And through a series of tough choices, this CR achieves both. That is precisely why this CR includes sufficient funding to sustain critical operations in the front-line agencies such as the CBP, Coast Guard, ICE, the TSA, and the Department's Intelligence Office.

Mr. Chair, homeland security is far too important to be subject to budget gimmicks and inadequate justifications. The homeland security title of this CR responsibly funds programs vital to our Nation's security, and it will help them get back on track from our Federal budget perspective.

Mr. DICKS. I yield 3 minutes to the gentleman from North Carolina (Mr. PRICE), who has been the chairman and now the ranking member of the Homeland Security Subcommittee.

Mr. PRICE of North Carolina. Mr. Chair, if there ever were a case of overheated campaign rhetoric overtaking responsible governing, then we are seeing that case here today.

Far from continuing to fund the government through to the end of the fiscal year, this measure would dramatically slash the investments in our economic recovery and undermine our national security in the process. I don't know why we even call it a continuing resolution—I guess to avoid a markup in the Appropriations Committee. But it's a brand new appropriations bill, and a very destructive one at that. It's a job-killer of all kinds of jobs but most especially of national security jobs.

Let's talk about firefighters. We rely on our firefighters as our preeminent first responders. They arrive at the scene of all types of emergencies—attempted bombings, security incidents, medical, fire emergencies, all kinds of emergencies. But this bill eliminates the SAFER firefighter staffing program, guaranteeing that thousands of firefighters will lose their jobs this year, according to the Fire Chiefs Association. SAFER has enabled our local communities to avoid firefighter layoffs in tough economic times, to keep their fire departments at full strength. This Republican continuing resolution would just simply remove this protection.

□ 1500

Let's talk about law enforcement, funded in the Commerce-Justice appropriations bill. We rely on our local police officers, not only as first responders, but also as first detectors of homegrown terrorist activity. Yet this bill eliminates the Community Policing grant program, the COPS program, guaranteeing that local governments which are already laying off workers will have to fire between 1,300 and 3,000 police officers.

Now, these job losses could be prevented if we were attempting to govern seriously instead of appeasing the Republican tea party base. The best cure for our budget deficit is a recovered economy, not a bill that slashes and burns government services that are critical to our economic competitiveness and to our public safety.

So I urge a ''no'' vote on this CR. Instead of a continuing resolution, we might say that CR in this case stands for ''Continuing the Recession,'' because that's really what this bill would achieve.

Mr. ROGERS of Kentucky. I yield 3 minutes to the gentlewoman from Texas (Ms. GRANGER), the chairman of the State, Foreign Operations Subcommittee on Appropriations.

Ms. GRANGER. For too long we have seen unsustainable increases in spending. This bill before us today puts an end to that practice by making unprecedented cuts to the Federal budget. As chair of the State, Foreign Operations Subcommittee, I know the difficult tradeoffs that have to be made to achieve these levels of cuts, but we cannot continue to ignore our skyrocketing deficits and our debt.

In the bill before us, we are taking our pledge to cut spending seriously. Since fiscal year 2008, the State, Foreign Operations budget has had dramatic increases. This bill begins to rein in the growth of many programs.

The State, Foreign Operations title of the bill before us is $44.9 billion. This represents a 21 percent reduction from the President's fiscal year 2011 request, an 8 percent reduction from the fiscal year 2010 enacted level, and an 18 percent reduction from the fiscal year 2010 level with supplemental appropriations.

Let me be clear. While these are dramatic cuts, I support the goals and objectives of using civilian power to achieve our national security goals.

To achieve the level of savings included for the remainder of FY11, reductions were made in areas that, while difficult, preserve important efforts and priorities. For example, the bill before us supports top national security priorities, maintains momentum in Iraq, Afghanistan and Pakistan, and fully funds the U.S.-Israel memorandum of understanding at $3 billion. It continues the fight against illegal drug trafficking in Mexico, Central America and Colombia.

In order to do all of these things in this bill, new activities are paused, many programs are scaled back, and large administrative commitments like climate change are shelved. While these choices were difficult, they must be made in order to preserve our national security priorities.

There is a need for continued oversight in our foreign aid, and for that reason, I've included language which provides additional oversight for countries like Afghanistan and Lebanon.

I would like to thank Ranking Member LOWEY for her dedication to the subcommittee as chair for the last 4 years, and I look forward to continuing to work together. We both agree that Members on both sides of the aisle deserve to be heard on the important foreign policy matters that come before our subcommittee.

I hope this bill will move forward quickly to ensure important government operations are continued in a manner that is fiscally responsible and meets our foreign policy challenges around the world.

The CHAIR. The Chair would note that the gentleman from Kentucky has 9 minutes remaining; the gentleman from Washington has 9 minutes remaining.

Mr. DICKS. I yield 2½ minutes to the gentlewoman from New York, the

former chair of the State, Foreign Operations Subcommittee, now the ranking member, my good friend, NITA LOWEY.

Mrs. LOWEY. I thank the gentleman, our distinguished chair. It's been a pleasure working with you. And I just want to say to the current chair of our committee, we've always worked in a bipartisan way, and that's why I reluctantly rise in opposition to the State and Foreign Operations budget in the CR. But I look forward to continuing to work together.

These are irresponsible cuts. These cuts would threaten global security and stability. Despite broad agreement that a three-legged stool of defense, diplomacy, and development is vital to our national security, this bill dramatically weakens diplomacy and development.

On a positive note, I'm pleased with the inclusion of $3 billion pursuant to the MOU between the United States and Israel and continued commitments to Egypt and Jordan.

However, especially given the ongoing development in Egypt, through the region, and around the world, the drastic cuts in democratic governance, alternate development options, international financial institutions, conflict mitigation, reconciliation, disaster assistance, and global health, would significantly impede our ability to achieve our security objectives.

I'm really disappointed with the Republican leadership's partisan approach because, as I mentioned, during my 4 years as chair of the subcommittee, I worked closely with my ranking member, and we did not include divisive social issues in our bills. Yet this CR would reinstate the global gag rule and prohibit funds for the United Nations Population Fund, denying millions of women family planning and basic health services.

Finally, while all these measures are brought to the floor under the guise of fiscal responsibility, in my judgment, they endanger our long-term economic security and fail to create jobs. So I urge my colleagues to oppose this bill.

Mr. ROGERS of Kentucky. I yield 2 minutes to the gentleman from Indiana (Mr. PENCE), former chairman of the Republican Conference in the House.

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

Mr. PENCE. I want to thank the distinguished chairman for yielding time and for his leadership on this and so many issues.

After years of runaway Federal spending by both political parties, last year House Republicans took the pledge. We said to the American people, give us another chance to lead this Congress, and the first thing we'll do is we'll reduce domestic spending to pre-bail out, pre-stimulus levels, saving the American people at least $100 billion. And today, simply put, this new majority will keep our word with the American people. And in Washington, D.C., that's saying a lot.

Now we'll consider H.R. 1, which will save at least $100 billion in this fiscal year. It is, in fact, the single largest rescission package in the history of this Congress. With a $14 trillion national debt and a $1.5 trillion deficit this year, cutting $100 billion will not solve our fiscal crisis, but it's a good start, and it's a promise kept. And here in Washington, D.C., that's really saying something.

Now, to save our Nation from an avalanche of debt facing future generations, we must just do a couple of basic things. First, we've got to stop what we've been doing, piling a mountain range of debt on our children and grandchildren. We've got to turn around and we've got to begin to head in the other direction. We have to face our present fiscal crisis squarely and with courage. And today, this new Republican majority will do just that. We'll begin the process of turning our ship of state back toward that horizon of fiscal responsibility and fiscal solvency and sustainability for generations to come.

I urge my colleagues in both political parties, join us in this important first step. Join us in this important promise kept. Work with us, and we will work with you to put our Nation on a pathway toward fiscal solvency and, ultimately, lay a foundation for real economic growth for generations to come.

□ 1510

Mr. DICKS. I yield 2 minutes to the distinguished Democratic Whip, the gentleman from Maryland (Mr. HOYER), who has been a longtime member of the Appropriations Committee and a very good friend.

Mr. HOYER. I thank the gentleman for yielding.

I would say to the previous speaker, my friend Mr. PENCE, we did that. In 1993 we looked the fiscal posture of our country in the eye. We had sustained $1.4 trillion of deficit spending under Mr. Reagan and $1.1 trillion of deficit spending under Mr. Bush, and we put legislation on this floor and said we need to meet our fiscal responsibilities. Not a single member, unfortunately, of the Republican Party voted for that legislation. But over the next 8 years, we had a net surplus in this country; the only time in the lifetime of anybody in this body that that has happened. We did it working together.

Unfortunately, the last administration ran up $3.8 trillion of deficit, and we inherited an economy that was in substantial free fall. The President said that; Mr. Bernanke said that; Mr. Paulson said that. And so we adopted legislation that tried to stabilize that economy, and the good news is that we have. We haven't gotten to where we want to be. We want to create more jobs. As the President says, we want to invest in growing our economy and bringing jobs back.

There will be some very tough decisions we will have to make moving forward; and, frankly, as the chairman of the Appropriations Committee knows and as the ranking member of the Appropriations Committee knows, you will not get there focused simply on 14 percent of the budget. It will not happen, my friends.

You might want to delude yourself or delude our constituents and say that you can simply cut all 14 percent of non-defense discretionary spending, and you will still have an operating deficit this year if we cut out every nickel of discretionary spending.

That discretionary spending of course educates our children. It promotes our health. It promotes our commerce. It promotes building the economy. That's what this issue is about.

The CHAIR. The time of the gentleman has expired.

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

Mr. HOYER. So I rise to say to all of us, all 435 of us, it will take courage, cooperation, and common sense to address the deficit situation that confronts us.

And it is a crisis. It must be met. We do not have an alternative. Because if we do not address it—all of you have heard about my three children, my three grandchildren, and my one great granddaughter. All of them will hold me and all of you responsible for the legacy of fiscal irresponsibility which we will leave them.

We now have bipartisan responsibility. You are in charge of this House; the Democrats are in charge of the Senate, and we have a President who is a Democrat. It is a perfect opportunity for us all to take responsibility and, yes, part of the blame, because the decisions we will have to make will be tough; they will be agonizing, and they will be wrenching. And people will say, We're not sure you should have done it.

If we do it together, we can do it. And we owe it to our country, our fellow citizens, and our children to do so.

Cutting spending is part of the solution to our deficit. But we also have to cut wisely, making the distinction between spending we can do without, and investments that are vital to our future growth.

But Republicans have brought to the floor a spending bill full of cuts that are short-sighted and indiscriminate. They endanger the investments we need to grow our economy and create jobs—to out-build, out-innovate, and out-educate our competitors. When we talk about cutting those investments, we are talking about cutting tomorrow's jobs.

I wish that my Republican colleagues would listen to the business leaders who understand the importance of thoughtful investment.

Listen to Tom Donohue of the U.S. Chamber of Commerce and Richard Trumka of the AFL–CIO, who don't agree on very much: "Whether it is building roads, bridges, high-speed broadband, energy systems and schools, these projects not only create jobs . . . they are an investment in building the modern infrastructure our country needs to compete."

But the Republican spending bill would cancel 76 transportation projects in 40 States, and leave us with roads, bridges, and an air traffic control system stuck in the last century.

Listen to Marc Benioff, CEO of Salesforce.com: "The number 1 thing the government needs to do is increase research funding."

But the Republican spending bill would cut support for 20,000 researchers at the National Science Foundation, cut $1.4 billion of energy research, and cut $2.5 billion of medical research.

Listen to Bill Gates: "If we don't start innovating in education to make it better and more accessible . . . our competitiveness will fall behind that of other countries."

But the Republican spending bill would kick 200,000 children out of Head Start and make it harder for Americans to afford college.

By all means, let's take real action on the deficit—but not in a way that sacrifices America's competitive edge.

Mr. ROGERS of Kentucky. I yield 2 minutes to a new Member of Congress, a freshman and a new member of the Appropriations Committee, the gentleman from a wonderful place in Arkansas called Rogers, Arkansas (Mr. WOMACK).

Mr. WOMACK. Mr. Chair, I am glad the gentleman a few minutes ago from Virginia talked about the mayors of America and the county judges of America, because just a few weeks ago I was one of those mayors.

Twelve years ago, when I sought that office, I inherited a city that was in terrible deficit spending, that had unreasonable government intrusion into the private sector, that was affecting the economic well-being of that city.

I am pleased to say that, because we took the position of putting our fiscal house in order and because we changed the way government approaches its involvement in the private sector and because we limited the dependency of our city on the Federal Government that we created a city of excellence, that we significantly enhanced the quality of life. We did $1 billion worth of investment; we created thousands of jobs, and Rogers, Arkansas, is the example the American people are looking for today.

I realize that these are difficult times. They are times that are going to require great courage, a sense of duty, and shared sacrifice in order to put America on the right path. I believe in this America, and that's the way forward.

Mr. DICKS. I yield 1⅓ minutes to my good friend, the distinguished gentleman from California (Mr. FARR), who has now become the ranking member on Agriculture.

Mr. FARR. Mr. Chair, I thank my ranking chair, the gentleman from Washington (Mr. DICKS).

I rise with serious concerns. I am the ranking member of the Agricultural Appropriations Committee. I come from the State that is the leading ag State in the Nation, California, and agriculture is the number one economy in California. We're a State that is really diversified, and we do it without subsidies and we do it by partnerships.

The partnership is essentially a public-private partnership, and there is a major role to be able to make the private sector successful with that partnership.

We all care about feeding people, all people, whether they are rich or poor. One thing they all have in common is that they want that food to be safe. They want the drink to be safe. They want the drugs that they buy in the stores to be safe. And the problem with this CR, which is very interestingly talked about on their side in the generic of the necessity of cutting the deficit, which we all agree on. But to take a meat axe approach to the USDA and the FDA cuts the safety net for food and drugs.

For example, the Food and Safety Inspection Service would have to cut down on their inspectors who have to be in every one of the 6,300 slaughter and processing facilities. If they are not there, there is no work. We would have to close these facilities for months at a time; therefore, putting a lot of people out of work, less jobs, and certainly no food safety.

It goes on and on and on. We need to argue these details, not just the generics.

FOOD SAFETY AND INSPECTION SERVICE (FSIS)

FSIS is responsible for the safety of domestic and imported meat and poultry. It inspects nearly 6,300 slaughter and processing facilities. Its inspectors are required to be present continuously during the operation of slaughter plants and to inspect every meat and poultry processing plant in the U.S. every day. All imported meat and poultry must also be inspected by FSIS. The Republican proposal would hold funding for FSIS to the 2008 level. The administration estimates that this would require a furlough of all FSIS employees, including all inspectors, for 30-47 working days (which amounts to 20–30 percent of the working days left in the fiscal year assuming enactment on March 4th.) Without inspectors available, meat and poultry plants would be legally required to stop operating. The administration estimates the economic loss from stopping plant operations at $11 billion. It also expects that consumer prices for meat and poultry would rise with the curtailed supply. That's a lot of jobs and food—not only up unemployment but also drive—up prices.

FOOD AND DRUG ADMINISTRATION (FDA)

FDA is responsible for the safety of food, drugs, medical devices, human blood products, vaccines, cosmetics, and many other products. Consumers spend about 20 cents of every dollar on products regulated by FDA. The Republican proposal would fund FDA at about 10 percent below the 2010 level. Coming this late in the fiscal year, much deeper cuts would be necessary to end fiscal year 2011 at the level appropriated in the Republican bill. The administration has estimated that under the Republican proposal there would be 2,000 fewer FDA inspections of firms that manufacture food and medical products; 10,000 fewer FDA import inspections to verify that imported foods and medical products meet safety standards; and analysis of 6,000 fewer food and medical product samples to identify safety problems. In addition, this level will likely lead to furloughs and/or * * *

Mr. ROGERS of Kentucky. I yield 2 minutes to the chairman of the Legislative Branch Subcommittee on Appropriations, the gentleman from Florida (Mr. CRENSHAW).

Mr. CRENSHAW. I thank the gentleman for all the work that he has done in helping to put this continuing resolution together.

This is a giant step forward in stopping the culture of spending that has gone on here in this town for a long time and begins a culture of savings.

In the subcommittee which I have been asked to chair, the Legislative Branch only deals with maybe one-half of 1 percent of all the money that we're talking about, but we didn't think that we ought to be immune to all the pain that goes on as well. In fact, I think, when times are tough, leaders ought to lead. And so we can help save taxpayers dollars by spending less money on ourselves, and that's what we do in this bill.

We cut the accounts of the leadership offices. We cut the accounts of all the Members' offices. We cut the accounts of the committee staff and their offices. In fact, the Appropriations Committee, which Mr. ROGERS chairs, will reduce their spending by 9 percent. So certainly Congress is taking the budget axe to its own spending and leading by example, and I think that's important.

So as we move forward, Mr. Chairman, I think that we can do a whole lot more with a whole lot less around this place. We want to lead by example. That's what we're trying to do, and I think we are taking a giant step forward.

Mr. DICKS. I yield 1½ minutes to the distinguished gentleman from Georgia (Mr. BISHOP). He has become the new ranking member on Military Construction and VA.

□ 1520

Mr. BISHOP of Georgia. I thank the gentleman for yielding.

While the Military Construction/VA portion of this bill is not cut as much as some other parts of the continuing resolution, the cumulative effect of this CR is really to hurt our veterans. The bill provides $74.2 billion, which is $2.4 billion below the FY 2010; $1.8 billion below the President's request.

Mr. Chairman, it's time to end the theatrics and get to work. This continuing resolution continues the heated rhetoric. If this bill is signed into law, it will hurt our economic recovery, which in turn will affect our veterans. According to the Bureau of Labor Statistics, more than 15 percent of Iraq and Afghanistan war veterans are unemployed, far higher than the national jobless rate. If we follow through with some of these disastrous cuts, we'll see that rate go higher as the operations in Iraq and Afghanistan wind down and our troops come home seeking employment.

For example, as the gentleman from North Carolina pointed out, we're cutting aid that local governments use to

hire police officers. Many of our local police officers are veterans and they are hired with the community oriented policing grants. This will be eliminated. If we cut money for firefighters, this cut will have the same effect as cutting money from the cops. Our veterans will have nowhere to go to continue to serve their communities.

We can do better than this bill. We must be serious because we have serious issues. Veterans have paid the price for the freedoms we enjoy in this country, but freedom is not free. It has been paid for with the lives and the limbs of countless men and women who have served this country in uniform. We owe them better than this.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin, a brand new Member of this body, Mr. DUFFY.

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

Mr. DUFFY. I thank the chairman for yielding time to me to address the issue today with regard to unspent, unobligated stimulus money.

Two years ago, this Congress voted to spend nearly a trillion dollars of stimulus money. They said that we could borrow and spend our way to prosperity. Well, 2 years later we are well aware that borrowing and spending doesn't lead to economic prosperity, growth and sustainable jobs. We know it comes from the private sector—people who invest in their businesses and ideas. And from there, they expand and grow. That's how we create jobs in this great country.

Now we are stuck with a $14 trillion debt. This year, we're going to borrow $1.5 trillion. More borrowing, more spending, is going to lead to job-crushing taxes and passing this debt on to our next generation. It's unacceptable.

I am encouraged that we are working on sending all unobligated stimulus money back to the Fed so we can pay down our debt.

Mr. DICKS. Mr. Chairman, I yield the balance of my time to the gentleman from Pennsylvania (Mr. FATTAH), the new ranking member of the Commerce-Science-Justice Subcommittee.

The CHAIR. The gentleman is recognized for 1¼ minutes.

Mr. FATTAH. I thank the gentleman and I thank him for his extraordinary leadership on this critical matter.

The Economic Policy Institute says that the GOP plan will cost our country 800,000 jobs. The parts of the CR that relate to Commerce, Justice and Science relate to essentially four areas.

International trade assistance exports. The President has a major initiative to create American jobs through exporting. They want to cut it by $93 million.

They want to cut $1.3 billion out of law enforcement. So if you need a cop and you call 911, there may or may not be one available because if it's one of the 1,300 that will be cut under this bill, they'll be gone.

In legal services, some 80,000 cases reduced—for seniors who will be fighting mortgage foreclosure that would be fraudulent in their case, or domestic abuse violence in their homes, through cuts to legal services.

And a $150 million cut for the National Science Foundation.

Now my colleagues have a tough job. They're in the majority. They've got to make rational decisions. Let me just say this. If spending was bad, we would eliminate all spending. Some spending is necessary. We should be cutting waste. We should not be cutting law enforcement and legal assistance and scientific analysis, and we shouldn't be cutting export opportunities for American workers. And we shouldn't be risking 800,000 jobs in our country; not today, not on any day.

The CHAIR. The time of the gentleman from Washington has expired.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN), the chairman of the Energy and Water Subcommittee on Appropriations.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

Mr. Chairman, some suggested some time ago that we have to wait until 2012 or 2013 to make these decisions. We need to make these tough decisions now, to cut spending and to create a climate where the private sector can go hire workers.

The Energy and Water Development section of this bill totals $29.9 billion, an 11 percent reduction from fiscal year 2010. That's a tough decision. This level more truly represents what should be the top priorities of the Department of Energy, the Army Corps of Engineers, the Bureau of Reclamation, and the other accounts funded under our subcommittee's purview.

Far from the ''meat axe'' approach that some have suggested we're taking in H.R. 1, our product is one of careful, thoughtful, line-by-line analysis. We have looked at which programs are must-haves, which have significant unobligated balances, and which are redundant. Above all, we've ensured that the core national security mandate of the Department is adequately funded. Frankly, other countries' nuclear stockpile programs aren't taking a time-out while we wrestle with our budget challenges. The stewardship of the nuclear stockpile is the foremost responsibility of the Department of Energy. In fact, weapons activities and naval reactors receive the only increases in our bill.

We do, however, make major reductions in the Department of Energy; major cuts. We eliminate all earmarks. That's close to $500 million, just in the Department of Energy. And we cut out programs like weatherization, with billions and billions of unspent stimulus money. In fact, the Department of Energy received close to $39 billion in stimulus money.

Finally, we've cut back on programs like biological and environmental research that are not core to the Department's historical responsibilities and focus. We do all of this so the Department of Energy can focus on what we need to do—to support the private sector in developing the next round of energy-related intellectual property and the jobs associated with it.

We need to do it. I support the CR. I think we ought to move on with it.

Ms. SLAUGHTER. Mr. Chair, I rise today in support of the life-saving work done by Title X family planning providers across the nation.

In 2009, five million men and women received important preventive services from family planning providers, including 2.3 million breast exams, 2.2 million tests for cervical cancer, and nearly 1 million HIV tests. The proposed cuts in H.R. 1 would eviscerate these services, reducing family planning and cancer prevention services. Cuts to family planning would have devastating consequences to families nationwide.

Why is the Republican leadership attacking proven health care services, instead of working with us to create jobs? This legislation does not move our country forward.

By attacking family planning and pursuing an extreme social agenda, Republicans are dividing our country and distracting from the very real economic problems facing our nation.

While these cuts to family planning were proposed under the auspices of being "fiscally responsible", that is far from the truth.

For every dollar invested in Title X family planning services, taxpayers save just under $4. By preventing cancer, identifying cancer in early stages, and preventing HIV/AIDS, Title X providers are saving money, as well as lives. Cutting family planning is not fiscally responsible, and will not reduce the bottom line.

Moreover, this cut has nothing to do with ending funding for abortions, despite claims to the contrary. Title X family planning funds simply do not fund abortions. If we want to reduce the number of abortions in this country, the methodology is clear—empower women to prevent unintended pregnancies through education and access to contraception. And, that is precisely what family planning funding does.

Nationwide, this cut will impact family planning services for 5 million women and men. In my home state of New York, cuts to Planned Parenthood would impact 209,410 patients. Just last year, Planned Parenthood provided 70,490 screenings for cervical cancer in New York, detecting 7,931 abnormal results requiring medical action. Another 67,957 women received breast exams. 138,501 tests for Chlamydia helped to avert the leading cause of preventable infertility in America today. New Yorkers stand to lose valuable health services.

These statistics represent real women, with real needs. Can we turn our back on them? No, we cannot.

We need to work together to invest in the services that will help our country to be successful. We must focus on building our economy, rather than eliminating health care services.

Mr. POLIS. Mr. Chair, Americans' top priority is creating jobs. But six weeks into the 112th Congress, the Republican leadership has yet to bring a single, solitary jobs bill to the floor.

Once again, we are here today to exercise one of our primary constitutional responsibilities as members of Congress—to pass appropriations legislation to fund the many basic

and essential programs the federal governments, on which millions of Americans rely. Today is an incredible opportunity, for Republicans and Democrats to work together—to bridge the gap between parties and talking points—and pass a bill that meets our shared goals of creating jobs, building our infrastructure, and strengthening our economy.

Sadly, the Republican leaders have brought to the floor a continuing resolution that jeopardizes American jobs and our economic future by rolling back investments that will help our private sector grow and put people back to work. It thoughtlessly makes extreme cuts to appease an extreme wing of their party, at the expense of the American people.

EDUCATION

Mr. Chair, building an excellent public education system that provides each and every child the opportunity to succeed is the single greatest investment we can make to secure our nation's future—an investment that I have devoted much of my life to support and achieve. From Preschool to K–12 to Higher Education, Republican cuts would undermine our global economic standing by denying opportunity to students, who depend on the government for their education.

As President Obama said in his state of the union address, it's not just about ''how we cut'' but ''what we cut.'' Education is an investment in our future, and we can't sacrifice our future. But Republicans—through this CR—seem willing to sacrifice our future to meet their arbitrary campaign pledge.

They want to drastically reduce quality preschool for poor children with a $1 billion cut in Head Start, which has shown positive results. For K–12 students, Republicans are proposing to dismantle a wide range of essential school supports—literacy programs; teacher improvements; math and science partnerships; arts in education; parent education; counseling; and graduation promotion.

Their proposal would also slash special education services and college preparation. And many more students would be blocked from going to college if the Republicans had their way—with about half a billion dollars less for Pell grants for disadvantaged youth.

Education is how America can reclaim our edge in job creation, in business leadership, in providing a livable wage, and in economic innovation. Destroying this promise by attempting to balance the budget on the backs of poor children and youth is both unwise and unjust.

By cutting to the heart of the learning needs of America's children and youth through these extraordinary and nonsensical measures, Republican lawmakers clearly don't understand the meaning of investing in our future.

ENVIRONMENT

This CR arbitrarily kills jobs, hurts the public health and is a slap in the face of environmental protection. The CR will set our country back decades by curtailing scientific research, simply because Republican's don't like what the science says. It puts our children's health at risk by handcuffing the EPA to police polluters and simply keeps us addicted to foreign oil and discourages clean energy innovations. This is sound bite politics at its worst, the American public needs real solutions and thoughtful policy.

The CR prohibits any funding from being used to carry out the EPA's power plant pollution safeguard rules. These rules are tailored to only the biggest polluting power plants, ensuring average Americans and small business aren't affected by any regulations.

The Clean Air Act guards the most vulnerable Americans—those with asthma and other lung disease, children, older adults, and people with heart disease and diabetes—from the dangers of airborne pollutants, including the threats from growing carbon dioxide pollution. Each year the Act prevents tens of thousands of adverse health effects, including asthma attacks, heart attacks and even premature death. This year alone, the Clean Air Act will save more than 160,000 lives, according to preliminary estimates by the U.S. Environmental Protection Agency. Yet Republicans plan to starve this life-saving agency of its funding based on purely ideological reasons.

IMMIGRATION

The CR would cut all funding for immigrant integration. Republicans claim that they support legal immigration and want to reward immigrants who waited in line and did things the right way. But then they go and cut funding to critical programs that help those legal immigrants become proud American citizens and better integrated into our communities. If Republicans really want to support legal immigrants, they wouldn't cut important programs that emphasize the value of learning English, learning American history and civics, and becoming U.S. citizens. Regardless of what side of the aisle you sit on, these are commonsense programs that we can all support.

It would also cut overseas refugee assistance and admissions and domestic refugee assistance funding. These cuts would severely diminish our country's ability to help refugees across the globe. The victims would be some of the world's most vulnerable people: refugees fleeing religious persecution from Iran, political persecution from Burma, etc. We are the global leader in refugee resettlement. This is a proud American legacy and it makes us a shining beacon for the world. Haphazard cuts like this endanger refugees, but also America.

If Republicans truly claim to be committed to deficit reduction, then why as they cut millions from beneficial programs like head start and LIHEAP, do they continue to increase defense spending? Until Republicans get serious about controlling defense spending—the largest part of the discretionary budget—they will never achieve their goals of reducing our deficit.

LOCAL/US 36

Mr. Chair, at the state and local level, my home state of Colorado is getting slapped in the face by this CR.

A year ago, US 36—the highway that connects Boulder to Denver—was awarded a $10 Million TIGER/TIFIA Challenge Grant through the recovery Act—to expand one of the most used and heavily congested highways in the state, creating jobs and fostering economic development. The $10 million federal investment helps leverage the additional funds in the area, creating $276 million in employment income and 7,200 jobs. The project impacts 191,000 corridor employees—10% of the state's employment.

To date, only $900k has been obligated, and because the Republican CR rescinds all 'unobligated' ARRA funding across the board without thought to details or individual projects—the many state, regional, and local transportation groups that have invested in the project will never see the remaining $9.1 million they were promised.

For the businesses and residents in my district—this is a slap in the face.

Colorado's US 36 Corridor project won the TIGER Award because it was one of the most innovative projects in the country. Mr. Chair, Rome wasn't built in a day and we can all agree that we should not be punishing innovation.

Mr. Chair, the President's budget release yesterday is an excellent example of cutting back in nearly every aspect of the federal government, while investing in the future. We must tighten our belts and make hard choices and tough changes. But we cannot do so at the expense of growth and innovation.

With cuts like these, Republican leadership has made it very clear that they're not interested in helping families to get ahead in this economy. Instead, they're holding our economic recovery and global competitiveness hostage in an attempt to meet an arbitrary spending goal, to appease the fringe of their party—the same people who advocate for cutting the Department of Education and privatizing social security.

The Republican's continuing resolution before us today is sound bite politics at its worst. The American Public need and deserve real solutions and thoughtful policy. We can and must do better. I encourage my colleagues to oppose the rule for this CR as well as the underlying CR to prevent the irresponsible impact of this Republican spending bill.

Mr. Conyers, the Majority introduced H.R. 1, the ''Full Year Continuing Appropriations Act, 2011,'' which will make immediate and drastic cuts to the federal budget.

These mindless proposed cuts will hurt jobs, undermine public safety and law enforcement, and restrict fundamental civil liberties.

Below is an itemization of some of the funding decreases to areas of the federal budget that are within the Judiciary Committee's purview—the dollar references being the amounts less than the Administration's requested 2011 budget.

DEPARTMENT OF JUSTICE

COMMUNITY ORIENTED POLICING SERVICES (COPS)

Funding Decrease: $600 Million/Complete Elimination of Hiring Program

COPS has funded the hiring of more than 122,000 state and local police officers and sheriff's deputies in communities across America. The Republican funding cut means that 3,000 fewer officers will be hired or rehired to be on the streets of our neighborhoods.

FBI

Funding Decrease: $74 Million

The Republican funding cut will delay construction of badly needed training facilities at the FBI Academy in Quantico. This will impact the FBI's effort to update and strengthen training for agents and intelligence analysts to maintain the fight against terrorism, sexual exploitation of children, drugs and other major threats to the U.S. from foreign and domestic sources.

VIOLENCE AGAINST WOMEN ACT, VICTIMS OF CRIME ACT, AND FAMILY VIOLENCE PREVENTION AND SERVICES ACT (VAWA)

Funding Decrease: $26.5 Million

VAWA programs support victims of domestic and sexual violence. It also has saved $14.8 billion in its first 6 years. If the Republican funding cut tracks FY 2008 levels, VAWA

programs would lose an estimated $170 million. Any cuts to these critical programs would undermine law enforcement and victim protection services.

GENERAL LEGAL ACTIVITIES

Funding Decrease: $111.3 Million

DOD's principal divisions, including the Civil Rights Division, the Antitrust Division, Environment and Natural Resources Division, and Civil Division are funded under the category of general legal activities.

The Civil Rights Division, which was chronically underfunded by the Bush Administration, will have to play a critical role with respect to how states and localities redraw their district lines following the decennial Census. As required under section 5 of the Voting Rights Act, the Department of Justice will have to ''pre-clear'' all voting changes. The Civil Rights Division is expecting more than 800 submissions this year and next.

The Republican budget cut will generally undermine the ability of these divisions to protect the civil rights and interests of all Americans.

VARIOUS STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE PROGRAMS

Funding Decrease: $525 Million

These reductions eliminate or essentially gut proven crime prevention and crime reduction programs that localities have used to keep crime rates down. The inevitable result of these cuts will be increased crime and victimizations, more unemployment and more resulting expenditures than these cuts save in federal, state and local law enforcement activities, imprisonments and other costs.

NATIONAL DRUG INTELLIGENCE CENTER

Funding Decrease: $10.6 Million

The Center plays a major role in the fight against international and national illegal drug proliferation. The Republican funding cut will force the Center to furlough valuable employees, which will harm the Center's ability to fight the war on illegal drugs.

OFFICE OF JUSTICE PROGRAMS, JUVENILE JUSTICE PROGRAMS

Funding Decrease: $191,095,000

The JJP strengthens community safety and reduces victimization by setting standards and performance measures for the nation's juvenile justice systems, supporting delinquency prevention and early intervention, and contributing to the prevention and reduction of youth crime and violence.

The inevitable result of the proposed Republican cut to BP funding will be increased crime and victimization; greater substance abuse; exacerbated mental health conditions; increased unemployment and incarceration; and a net increase in long-term costs to federal, state, and local governments.

LAW ENFORCEMENT WIRELESS COMMUNICATIONS

Funding Decrease: $71.6 Million

This program provides critical support to law enforcement officers and agents in major metropolitan areas across the Nation in responding to terrorist attacks or other catastrophic incidents. The Republican funding cut will reduce by more than half the money used by the program to eliminate interoperability issues with wireless communications, thereby jeopardizing officer and public safety and the safety of millions of Americans.

U.S. MARSHALS SERVICE (USMS)

Funding Decrease: $9.7 Million

The USMS is responsible for protecting judges which is critically important in light of recent threats to federal judges. The USMS also secures courthouse detention facilities that hold defendants accused of drug, gun and immigration crimes. The Republican funding cut will delay and possibly eliminate over $100 million in needed upgrades in security and construction of courthouse detention areas and facilities, the impact of which will be most acutely felt on the Southwest Border.

FEDERAL JUDICIARY

SALARIES AND EXPENSES; DEFENDER SERVICES

Funding Decrease: $613 Million

The Republican cut will force the federal courts to lay off more than 2,400 support staff and to stop payments to attorneys who represent indigent criminal defendants, which may raise constitutional concerns about the availability of adequate criminal defense services. These cuts undermine public safety and the effective administration of justice at a time when criminal caseloads and the workloads of probation and pretrial services offices have reached an all-time high.

DEPARTMENT OF HOMELAND SECURITY (DHS) AND DEPARTMENT OF STATE

H.R. 1 makes huge cuts in funding to DHS. Around $160 million are cut from accounts that are used to protect our Nation's borders and to facilitate legitimate trade and travel that are vital to our country and its recovering economy.

DHS: CUSTOMS AND BORDER PROTECTION—BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

Funding Decrease: $124.2 Million

The $124.2 million cut from Border Security Fencing, Infrastructure, and Technology will jeopardize the Administration's plan to increase the use of technologies that have proven effective at securing our border. Such technologies include mobile surveillance units, thermal imaging devices, mobile radios, and the like. Tens of millions of dollars of cuts to Customs and Facilities Management will inhibit our ability to build needed Border Patrol stations and forward operating bases, and to modernize our severely outdated land ports of entry.

DHS: OFFICE OF CITIZENSHIP, U.S. CITIZENSHIP AND IMMIGRATION SERVICES

Funding Decrease: Complete de-funding

H.R. 1 eliminates all funding for the Office of Citizenship within U.S. Citizenship and Immigration Services. De-funding the Office and the President's Integration Initiative means that no grants will be available for programs that fund state agencies and non-governmental organizations to help prepare lawful permanent residents to apply for and obtain citizenship. This will increase the burden on cash-strapped state and local governments and decrease the provision of civics-based English language classes that help aspiring citizens integrate into their communities. The President's budget request in Fiscal Year 2011 was only $18 million. This small investment has a big payoff: it assists immigrants to become proud, new American citizens who have studied English and the fundamentals of our government and who understand the rights and responsibilities of citizenship. The President's proposed budget for Fiscal Year 2012 increases this investment to $20 million. The President is heading in the right direction of working to integrate immigrants into our country. The Republican CR takes us in the wrong directly entirely.

DEPARTMENT OF STATE: MIGRATION AND REFUGEE ASSISTANCE

Funding Decrease: $582 Million

H.R. 1 cuts one-third of the funds for the State Department's Migration and Refugee Assistance program, which is used to protect refugees overseas and to admit refugees to the United States. This irresponsible and severe cut may seriously jeopardize our ability to protect the world's most vulnerable people-people fleeing persecution and torture. The cut will diminish our ability to support the critical work of the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross, who provide on-the-ground protection to refugees fleeing persecution. A cut like this could increase the risk of sexual violence for refugee women in camps. This cut also may jeopardize our ability to meet the President's goal of resettling 80,000 refugees in the U.S. this fiscal year. We are the global leader in refugee resettlement. This is a proud American legacy and it makes us a shining beacon for the world. Haphazard cuts like this endanger refugees, but also America.

OTHER AGENCIES AND PROGRAMS

LEGAL SERVICES CORPORATION (LSC)

Funding Decrease: $85 Million

LSC provides grants to support access to justice to our fellow Americans in need. The Republican cut would reduce LSC's funding by nearly 20%, which will result in a layoff of at least 370 staff attorneys in local programs, closure of many rural offices, and less civil access to justice for 161,000 Americans who will go without the services of an attorney. This includes women seeking safety for themselves and their children from domestic violence, veterans returning to civilian life without a job, and senior citizens trying to save their homes from foreclosure.

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES (ACUS)

Funding Decrease: $1.7 Million

ACUS is a recently established independent agency designed to save millions in taxpayer dollars by recommending ways to improve and streamline the regulatory and rulemaking process. Even though Republicans claim they support the same goals, the Republican funding cut will gut ACUS. It will cut ACUS's funding by 53%, which will result in freezing all research grants and causing staff cuts and furloughs.

UNITED STATES PATENT OFFICE (USPTO)

Funding Decrease: $400 Million

The USPTO examines and approves applications for patents on claimed inventions and administers the registration of trademarks. It also aids in the protection of American intellectual property internationally. The USPTO is fully funded by user fees paid by customers.

The Republican funding plan limits USPTO to 2010 user fee projected levels, which will deprive the overburdened patent office of approximately $200 million it collects in fees, and

an additional $200 million from a fee surcharge and supplemental amount in the 2011 budget.

This will exacerbate the over 700,000 application backlog the USPTO currently faces, prevent needed upgrades in technology to insure quality patents, and freeze hiring of additional examiners. Many of the improvements recently initiated to increase efficiency and decrease backlog will have to be abandoned. Of the 700,000 patents pending, many are in the health related field or involve technological advancement.

The proposed cut will stymie private sector patent reliant industries, undercut job growth and creation and further delay the development of potentially life-saving pharmaceuticals, as well as other technological improvements.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

Funding Decrease: $1.6 Million

Established on the recommendation of the 9/11 Commission, the purpose of the Privacy and Civil Liberties Oversight Board is to establish a watchdog group within the Executive Office of the President to help maintain an appropriate balance between national security and civil liberties.

PERIODIC CENSUS AND PROGRAMS

Funding Decrease: $72.9 Million

The Census Bureau is in the process of completing the decennial census as required by the Constitution. The results of the census will be used to enforce the requirements of the Voting Rights Act and the constitutional doctrine of "one person, one vote." Curtailing the work of the Census at this moment would be injurious to the protection of the right to vote.

ELECTION ASSISTANCE COMMISSION AND FEDERAL ELECTION COMMISSION

Funding Decrease: $6 Million

These commissions safeguard the election process, promote transparency, fight corruption, and protect our citizen's right to vote. The Republican budget cut undermines this critical process and fundamental right.

FAMILY PLANNING TITLE X

Funding Decrease: $317 Million

Title X is the nation's cornerstone family-planning program for low-income women. Currently, this program receives $317 million. H.R. 1 would eliminate all funding for this essential program.

RESTRICTIVE PROVISIONS

REINSTATEMENT OF GLOBAL GAG RULE

H.R. 1 would reinstate the global gag rule that bars USAID funds from overseas health centers unless they agreed not to use their own, non-U.S. funds for abortion services. President Obama repealed this harmful Bush-era policy during his first week in office, after eight years during which thousands of women and families in need of public-health services were turned away from underfunded clinics.

H.R. 1 also contains various restrictive riders, including:

1. a restriction on court review of regulations intended to protect endangered grey wolves
2. a restriction on the Environmental Protection Agency's ability to regulate greenhouse gases and clean water
3. a restriction that forbids the transfer of Guantanamo Bay detainees to the United States for prosecution

This substantial list gives an idea of the broad-ranging adverse impact that these Republican cuts would impose on job growth, public health and safety, and basic American values that we should all hold dear. I hope that we can take a more sensible approach to the budget than the draconian and ill-conceived cuts contained in H.R. 1.

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

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.

No amendment to the bill shall be in order except those received for printing in the portion of the CONGRESSIONAL RECORD designated for that purpose dated at least 1 day before the day of consideration of the amendment (but no later than February 15, 2011) and pro forma amendments for the purpose of debate.

Each amendment so received may be offered only by the Member who submitted it for printing or a designee and shall be considered as read if printed.

The Clerk will read.

The Clerk read as follows:

H.R. 1

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

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Division A—Department of Defense Appropriations Act, 2011
Division B—Full-Year Continuing Appropriations for Fiscal Year 2011
Division C—Stimulus Rescissions
Division D—Miscellaneous Provisions.

SEC. 2. REFERENCES.

Except as expressly provided otherwise, any reference to "this Act" contained in division A of this Act shall be treated as referring only to the provisions of that division.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, Chairman ROGERS deserves an awful lot of credit for having been able to put together this H.R. 1, that saves $100 billion over what many expected we would spend this year. The largest part of this bill is the defense part. The defense part of this bill is not a CR. It is not a continuing resolution. It is an actual, honest-to-God appropriations bill, one that under the leadership of Chairman DICKS during last year we put together; the subcommittee worked hard, many hearings, a really good bill. We worked with our Senate counterparts and we had agreement on this bill.

□ 1530

We had agreement on this bill from the Defense Department, and we were just really disappointed that here we are 5 months into the fiscal year and we are just now getting this bill to the floor. It is no fault of Chairman DICKS. He worked hard, and I know the pressures that he tried to apply and that I tried to apply to get permission to put this bill on the floor. But, anyway, here it is and we have it today.

It is a good defense bill. It is $516 billion. It is a lot of money; but our warfighters, they need training, they need salaries, they need pay, they need medical care, they need weapons, they need equipment, they need technology; and this bill, for the most part, provides that.

The $516 billion is $14.8 billion less than was requested for this fiscal year. That $14.8 billion didn't come about easily. We saved that by going line by line the best that we could in the time that we had to find program changes, to find budget changes, to find slush funds that we didn't think were necessary, and a lot of other ways that we saved the $14.8 billion. But we have a good bill here, and I am hopeful that the House will support this today.

One thing that is different from the bill that we thought we were going to have on the floor is 1,200 earmarks aren't there any more. We took out the earmarks, nearly $3 billion worth of earmarks.

So we have a very clean Defense bill here for you today. I know that there are many who would like to have more, and there are more things we could do. We could reach out into the future, but the world we live in today shows a growing deficit, and it is important that we are willing to contribute to solving it. It is crucial to the future of this Nation that we solve this deficit problem, because if we don't, I hate to think what might happen to our economy, what might happen to our currency, what might happen to our standing in the economy of the world.

I would ask the Members, if this bill came on the floor during Jack Murtha's chairmanship, we would have probably passed this bill in about 10 minutes. That is the way that he did business when he was in the majority. We didn't quite do that. We have an open rule. We have an open rule here that anybody can offer an amendment that is germane to the bill. If it makes it better, fine, we will agree to it. If it doesn't make it better, we will not agree to it. We understand that there are some that will be subject to a point of order, and we will raise those points of order, but we will allow the Member that offers the amendment to discuss it before we raise the point of order as a courtesy to them.

Anyway, again, I want to congratulate Mr. DICKS for the work that he did during the time that he was chairman. As he said in the general debate, he and I have worked together for over 30 years on the national security and intelligence affairs of our Nation. He is very honorable, a very hardworking individual, very much determined to do a good job for our Nation; and he shares the same feeling that I have here that while we may have to make reductions and have to come up with savings, we will not approve anything that has an adverse effect on the warfighter. We

will not do anything that has an adverse effect on the readiness of our national security effort.

It is a commitment that I made many years ago and that Mr. DICKS made many years ago. When we made these cuts we did not affect the warfighter. We didn't cut his pay. One of the largest portions of our Defense bill is military personnel, the cost of salaries. We did not cut that. We didn't get into that at all.

The CHAIR. The time of the gentleman has expired.

The Clerk will read.

The Clerk read as follows:

DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2011

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2011, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $41,042,653,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $25,912,449,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $13,210,161,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $27,105,755,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,333,165,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,940,191,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $612,191,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,650,797,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $7,511,296,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $3,060,098,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, $33,306,117,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $14,804,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, $37,809,239,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $5,539,740,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, $36,062,989,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $30,210,810,000: *Provided*, That not more than $50,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than $31,659,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or

appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That $8,251,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

AMENDMENT NO. 370 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, line 15, after the dollar amount, insert ''(reduced by $18,750,000)''.

Page 359, line 6, after the dollar amount, insert ''(increased by $18,750,000)''.

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

Mr. FLAKE. I thank the chairman. I just want to say a few words about the process here.

It is refreshing to so many of us to come to the House with an open rule. There are some Members who have been part of this body for 4 years now and have not been allowed the opportunity to offer one amendment on the floor because of the absence of open rules. So we are going to have a number of amendments offered here, and this is just a great process.

I also want to commend the Appropriations Committee for the hard work that it took to get the level of savings that we are in the legislation and what a positive step, as was mentioned, it was to cut out the earmarks. There are no earmarks in this bill. That is a wonderful thing. We can actually talk more about the substance and less about just pet projects on the side.

This amendment would reduce by $18.57 million the operations and maintenance defense-wide account. It would send the money to the spending reduction account. We are often told that when we offer amendments like this on the floor, it is not going to save any money. This one does. The money that is saved here will go to the spending reduction account.

Last August, Secretary Gates ordered a review of all outside boards and commissions that provide advice and studies to the Defense Department with an eye toward eliminating unnecessary entities and cutting funding for the studies that they produce by 25 percent.

According to CRS, the Department of Defense funds 65 boards and commissions at a cost of about $75 million. This amendment would achieve the approximate savings that Secretary Gates sought for FY 2011 that would equal $18.75 million. That is 25 percent of the $75 million over time. I certainly don't have any problems with the various panels from which the Defense Department seeks counsel, but I am sure there is some waste there. That is why Secretary Gates has targeted a 25 percent reduction.

I realize the amount of savings in this amendment is relatively small compared to the overall defense budget, but I think the point has to be made here that the defense budget is not sacrosanct. We can't say if it is defense, it is all good; that there is no waste here, we can't cut any. So it is important to look for ways we can actually save.

In fiscal year 2010, more than $1 trillion was spent on discretionary spending. The Department of Defense received more than $508 billion of that. Certainly in a Federal agency that requires the largest budget, this is the Federal agency that has the largest budget, there is going to be some waste and inefficiencies.

□ 1540

This is a great place to start. This is a proposal that came from the Defense Secretary himself, one that wasn't included in the underlying bill, and one that will be addressed in the FY 2012 budget, according the documents released yesterday. In fact, according to the Defense Department, it intends to achieve a savings of more than a billion dollars in FY 2012 simply by eliminating internally produced reports and reducing funding for the types of studies that I'm talking about here.

I applaud the Department's willingness to talk about cuts in its own budget. I urge my colleagues to adopt the same willingness here. If the Defense Department is willing to find savings, we ought to be able to do that here as well. We need to reduce this account which funds boards and commissions and the studies they produce by $18.75 million.

Again, passing this amendment will reduce funding that will not impact the warfighter. It won't impact the war in Afghanistan or the war still going on in Iraq. This would simply signal that this body is willing to cut where we can cut without affecting the necessary protections that we have in the Department of Defense.

The CHAIR. The time of the gentleman has expired.

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

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mainly, what I'm opposed to is the fact we're not sure what boards or commissions this amendment would deal with. I think it's probably a good idea, but I think the subcommittee will really like to have an opportunity to investigate whether or not a board is necessary or is doing some positive function for the Department of Defense. We'd like to have time to look into that.

We agree with the gentleman that we should find all the savings, all the waste we can, and we did. We reduced the request for this year by the $14.8 billion. I think we did a pretty good job.

On the gentleman's comment about the process, I had the privilege of serving as chairman of this Appropriations Committee for 6 years. I never brought an appropriations bill to the floor under a closed rule. It was 6 years that any germane amendment could be offered.

Mr. DICKS. Will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman.

Mr. DICKS. I, first of all, want to thank the gentleman for his very kind comments earlier.

This amendment cuts $18.75 million from operations and maintenance Defense-wide to reduce boards and commissions. Well, I think things like the Defense Science Board are very important. We have a number of commissions that are looking into acquisition reform that are trying to help us save money, help us get our acquisition straightened out.

So I agree with the gentleman. I think we should strongly oppose this amendment, and I yield back to the gentleman.

Mr. YOUNG of Florida. I thank the gentleman for his comments. Like I said, the subcommittee would really like an opportunity to really review this to make sure that we don't make a mistake and cut something that is important.

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

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

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

Ms. LEE. I rise today in support of the bipartisan Flake amendment, No. 370, to cut $18.75 million from the Defense-wide operations and maintenance budget at the Pentagon.

In my opinion, any discussion about getting our fiscal house in order must begin with a real discussion about reducing the bloated size of the Pentagon budget and ending the war in Afghanistan. And if we are really serious about reducing the deficit, we should be cutting Defense to the 2008 levels rather than cutting domestic discretionary spending to 2008 levels.

We're talking about a $750 billion budget. But the Republican continuing resolution fails to cut the Pentagon budget, and it really increases it by more than $8 billion this year. This will put families and teachers and cops and children out on the street. These cuts will not come close to ending the deficit, will only hurt our economy, won't create any jobs, and given the fact that our economy is on the verge of recovery, we should be doing everything in our power to create jobs. A

nearly $700 million cut to food for women, infants, and children during the height of a recession is really heartless and cold. This cut will not balance the budget and it will certainly not magically reduce the number of hungry children and families across the country.

Republicans want to cut billions of dollars in education programs that impact students at every level, from preschool to graduate school, starting with $1.1 billion in terms of a cut for Head Start. That's going to hurt millions of needy preschoolers. Gutting the Federal Supplemental Education Opportunity Grants by $757 million will really end the dreams of needy college students to be first in their families to earn a college or university degree. Republicans are willing to risk the futures of millions of needy students.

Republican cuts to cost-effective and critical programs like Community Health Centers are a prime example of what is really wrong with this one-sided approach to the budget. Smart investments in improving access to primary care and preventive health services, especially through low-cost programs like the Community Health Centers, are the most effective way to reduce the long-term costs of health care in our country and to reduce the deficit. Republican attempts to cut support for maternal and child health, $50 million; family planning, $317 million; State funds for Health Access Grants, $75 million, worsens the health of children and families, increases the rates of chronic diseases, and does nothing to reduce the deficit.

As a member of the Appropriations Committee, we see these budgets come to us each and every day, and we know the impact of what these cuts will do to the majority of Americans who are just struggling to survive through this downturn. We're in the middle of a housing crisis, and we are struggling to correct this. We're seeing unprecedented demand for housing assistance and a near standstill in private construction of affordable housing. Republicans somehow believe that this would be a good time to make massive cuts to rental assistance that keeps countless families from suffering homelessness. They want to dramatically cut Community Development Funds and the Public Housing Capital Fund, which invests Federal dollars in creating desperately needed new affordable housing.

Worse, these cuts will do nothing to create jobs or jump-start the economy. They are the wrong prescription for what ails our country, and we need to go back to the drawing board. The Flake amendment will cut over $18 million from Defense, which is an excellent beginning, but only a beginning.

So, in closing, let me just remind our friends on the other side of the aisle that budgets really are moral documents. They reflect our values and who we are as Americans. Proposing these deep and painful cuts reflects an unfortunate reality that we are putting bombs and missiles and wasteful Pentagon spending first rather than creating jobs for people who deserve to live the American Dream.

I yield back the balance of my time.

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

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

Mr. POMPEO. I yield to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

Let me just say it was asked which boards and commissions are there which this would cut. There are some 65 boards and commissions. Some are blue ribbon panels. The biggest three are the Defense Policy Board, the Defense Science Board, and the Defense Business Board.

But let me say, again, what this amendment does is simply moves forward what the Secretary of Defense has already identified as savings that he would like to achieve. He has said that they want to cut 25 percent of the budget for these boards and commissions.

The Secretary put this report out in August of last year, so it seems that he intended this for the FY 2011 cycle. That's what we're in right now. We're simply doing what, in my view, the Secretary of Defense has asked us to do or what he is going to carry through.

If we can't do this on Defense or on other wasteful spending, where can we do it? This is a great place to start. We should get this done now because it's going to be tackled later on. Why not get a head start and do it in the FY 2011 budget. If we're trying to realize the savings that we're trying to realize, let's take these boards and commissions that the Secretary of Defense has already said we should cut by 25 percent and give them what he asked for.

□ 1550

Mr. POMPEO. Reclaiming my time, it is the case that Mr. FLAKE's amendment addresses a very important issue, and that's duplicative processes and duplicative agencies. As a former soldier, there is nothing I care more about than making sure we take care of our airmen, our sailors, our marines. I think it is a great place to start to make sure we do just that by eliminating this from the Department of Defense appropriations bill.

I yield back the balance of my time.

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

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

Mr. HONDA. I rise in support of this amendment. I am opposed to this continuing resolution and to the Republicans' ''no jobs'' agenda.

Mr. Chairman, the American people want a recovery that supports jobs. Republicans have controlled the House for 41 days and have brought up zero bills to create jobs. These mindless cuts mean 1 million job cuts: no jobs for nurses, no jobs for teachers, no jobs for police, no jobs for firefighters, no jobs for manufacturing, and no jobs for small businesses.

Even worse than what the Republicans are doing to American workers is what they are doing to America's children. This bill will cut funding for education programs by over $10 billion, or 16 percent, which is the largest education cut in history.

The Individuals with Disabilities Education Act, IDEA, State grants will be slashed by $557 million, shifting to States and local districts the costs of educating 324,000 students with disabilities, therefore increasing local tax burdens and killing over 7,000 education jobs.

Pell Grants. Pell Grants will be cut by $5.6 billion, making it more difficult for low- and middle-income families to pay for college. These cuts would eliminate or reduce aid for almost 1.5 million students.

Head Start. Head Start would be cut by over $1 billion, leading to the elimination of enrollment slots for 127,000 poor children and the potential loss of over 14,000 jobs.

No one who votes for this bill could ever have the audacity to say they care about our children.

Republicans are wearing their hearts on their sleeves a day after Valentine's Day, but they don't care about children. They don't care about working middle class families, and they don't care to follow the rules of the road. Instead, Republicans want to make you pay. They want to make you pay for Big Oil's $1 billion subsidies, make you pay for higher drug prices, make you pay taxes to start your small business, make you pay for CEO salaries, and make you and your children go it alone.

So, Mr. Chairman, in closing, I oppose this bill. Republicans want you to keep paying for their war and tax cuts for the ultra-rich while they cut jobs, services, and schools. This is not fiscal discipline. This is fiscal insanity.

I yield back the balance of my time.

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

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

Mr. GRIJALVA. I rise in support of the amendment that Mr. FLAKE has proposed, and I rise in strong opposition to the underlying CR.

Mr. Chairman, the consequence of this whole discussion about dealing with the deficit and the budget reduction that is being recommended by the Republicans is going to be jobs. If you look at what is being proposed, the other side has had nearly 2 months but has brought zero bills that create jobs. These cuts amount to 1 million jobs that will be lost.

There will be no jobs for nurses. $51 million will be cut from the National Park Service; that is a loss of jobs. $256

million will be cut from State and Federal law enforcement; that is the local police that will be cut. $889 million will be cut from renewable energy programs; those are jobs creating solar panels and outfitting and retrofitting homes so they will be energy-efficient. $1 billion will be cut from the National Institutes of Health, which will be a loss of jobs in research and in providing direct public health care to the American citizens. $1.3 billion will be cut from community health centers; that means no jobs and increased costs in the emergency rooms, where people with very acute illnesses will be—people who will not be able to find health care because they will have nowhere else to go. There will be cuts in rural development—a loss of jobs. There will be a $1.6 billion cut for the Environmental Protection Agency—a loss of jobs. There will be a $96 million cut for substance abuse and mental health services—a loss of jobs.

One of the realities is that we must invest. It has been said over and over again that the point of dealing with this deficit that we have in this country has to be a pragmatic, measured process. It has taken us 10 years to get into the hole that we are in, and we need to plan to get out of that with the same amount of time, if not more.

We also need to talk about revenue generation. We are not going to cut our way out of this deficit, and you are certainly not going to cut your way out of this deficit when you are only concentrating on 14 or 15 percent of the Federal budget, which is why I support this amendment as it is an attempt to deal with defense.

We must create revenues. We must quit giving huge subsidies to Big Oil and Big Gas. We must ask mining companies, for once, to begin to pay royalties on the extractions provided them by the public lands. We must close the corporate loopholes that exist that created the financial collapse of housing in this country, and we must ask Wall Street to pay its fair share through a transaction fee, which will generate billions and billions of dollars for the taxpayers of this country.

In order to deal with this deficit, there must be a corresponding generation of revenue so we can continue to invest in the things that are important to the American people: their families, their lives, their education, their health care, their futures. That is an investment, and with additional revenue we will be able to begin to cut the deficit.

The continuing resolution is not an effort to deal with the deficit. It is a calculation to deal with programs and projects that have helped the middle class succeed, poor people survive, the disabled endure. They are programs and projects that have made this country stronger with their support for education and health care.

I urge all of my colleagues to vote against the continuing resolution.

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

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

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

Ms. FUDGE. I rise to support Mr. FLAKE's amendment because saving $18 million from defense is a great start; but I do, indeed, oppose the underlying Republican continuing resolution.

Mr. Chairman, this resolution threatens jobs, American innovation, and jeopardizes investments that will rebuild America.

As a member of the Science, Space, and Technology Committee, I believe that innovation will lead our Nation and our economy forward. We all know that basic research and technology development create jobs and will help America to win the future. The Republicans have this thing backwards. They have proposed cutting $2.5 billion to fund the National Institutes of Health. This $2.5 billion to NIH funding will be devastating to the biomedical industry that serves as the backbone of Cleveland and so many other communities across the country.

The innovative ways that scientists are pursuing solutions to human suffering with neuroimaging, genomics, and the development of novel treatments that arise from basic findings will improve life for all of us. Innovation will cut down on the costs of these illnesses, lost productivity in the workplace, and it will create important avenues for new investigations that will create new jobs, new ventures, and new industries.

We must continue to make investments in America. Our future is in innovation and technology development, and these cuts are not something we can afford. The loss of funding also means the loss of jobs.

Where are the jobs?

According to a new analysis by the nonpartisan Economic Policy Institute, the Republican CR will cost more than 800,000 private and public jobs. Republicans have controlled the House for 41 days, nearly 2 months, and have brought up zero bills to create jobs. Republicans want to cut Social Security and Medicare. When Republicans say they're cutting costs, they mean cutting Social Security, Medicare and Medicaid until they don't exist.

The American people want leadership that will create jobs and jump-start our Nation's economy. This careless resolution cuts jobs and damages the economy.

Again, I do support the amendment by Mr. FLAKE, but the Republican CR is bad for the American economy, and it is bad for Americans. I urge my colleagues to oppose the Republican CR and help put Americans back to work.

□ 1600

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

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

Ms. WOOLSEY. I too rise in support of Mr. FLAKE's amendment. I see it as a small beginning, a very small beginning, to cutting wasteful Pentagon spending. But Mr. Chair, this entire continuing resolution is bad for the economy and bad for this country. It's all a part of the Republican no jobs for America agenda.

The majority has no interest in doing anything whatsoever to help the 9 percent of Americans who are out of work. They've controlled the House for just about 6 weeks, and they've not brought up a single bill that would create a single job. They've brought up a bill that would continue to shred our civil liberties. They've brought up a bill that will infuse our campaigns with even more corrupting special interest money. They've brought up a bill that would take away guaranteed affordable health care. But nothing to address persistent joblessness. Nothing at all to fix the devastating recession that they caused in the first place.

Their mindless cuts don't do anything to strengthen America. They're not cutting spending; they're cutting jobs. Their agenda means cutting jobs for nurses, cutting jobs for teachers, police officers, small businesses, the very people who form the backbone of the middle class of the United States of America. The Speaker of the House himself said this morning that if some jobs are lost as a result of their cuts, ''so be it.'' He might as well have added, ''Let them eat cake.''

The best way to reduce the deficit is to put Americans back to work, Mr. Chairman, but the Republicans' no-jobs plan is all about cutting the very spending that sustains middle class families. When they say they want to cut costs, what they really mean is they want to cut Social Security, Medicare, and Medicaid right out of existence, and on top of cutting their hard-earned benefits, the Republicans want to make the middle class pay—pay for Big Oil's big subsidies, pay for higher drug prices, pay for astronomical CEO salaries, for higher taxes to start a small business.

The chairman of the House Budget Committee said yesterday, and I quote him, ''What we're doing here is we're having a great debate in Congress about how much spending we should cut. I mean, how cool is that?'' Well, I'd like to tell him it's not cool at all, Mr. Chairman, not when you're asking struggling families to shoulder the sacrifice. Giving a sweetheart deal to corporate special interests and asking the middle class to pay for it—not cool at all.

The Republicans' continuing resolution and no-jobs agenda—bad for America, totally uncool.

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

The Acting CHAIR (Mrs. MILLER of Michigan). The gentlewoman from Illinois is recognized for 5 minutes.

Ms. SCHAKOWSKY. Madam Chair, I rise in support of the Flake amendment, and I strongly oppose the underlying Republican no-jobs continuing resolution.

If people out there have the gnawing feel that the rich are getting richer and the poor are getting poorer, and they're stuck in the middle and stuck getting the bill, the fact of the matter is they're right. This bill is just another example of the Republicans' true agenda, which is helping out big business and the rich while sticking it to the middle class and those who aspire to it.

The cuts that they're proposing would actually cause a devastating wave of unemployment at the State and local level, particularly in the public sector. The Economic Policy Institute has estimated that passage would cost us nearly 1 million jobs. Who are we talking about? You know, it's cool these days to go after public sector workers, but what we're talking about are the teachers—I was one once a long time ago—the teachers who teach our children and grandchildren, the very police who keep our streets safe and put their lives on the line, and the firefighters who answer our 9/11 emergency call. We're talking about workers who are the backbone of our communities.

Over the last 2 years, the Democratic Congress and President Obama were successfully able to stave off a second Great Depression, but we're still in the early stages of recovery, unemployment is still too high at 9 percent, and American families are still suffering. The proposed cuts would cost us 1 million more jobs, be devastating to our recovery, and hurt Americans trying to take care of their families and make ends meet.

Let's just take a look at some of the things they want to cut. How about the National Institutes of Health would be cut $1.6 billion? This is funding that goes to vital medical research, including cures and improved treatments for devastating diseases. High speed rail development, which would provide desperately needed jobs, but beyond that, reinvigorate a keystone of the American infrastructure, it faces $2.5 billion in cuts.

In addition to the important jobs program, what really hurts is Republicans want to put assistance to poor families on the cutting board. They want to cut $1 billion for community health centers, the only access to health care for many poor families. And how about $747 million for the Women, Infants and Children, the WIC program? That's food assistance for low-income pregnant women and their children. The 300,000 beneficiaries in my State of Illinois receive a grand average benefit of $44.62 a month. That's it, per person, per month, and that minimal subsidy would be cut.

House Republicans' proposals to slash Federal spending programs are irresponsible and indiscriminate, eliminating programs that create jobs and cutting assistance for low-income and middle class families. There is another way to deal with the deficit and to balance our budget.

We need to enact a Democratic initiative to make it in America. We should be making things here. We should revive our manufacturing sector rather than providing tax breaks that encourage companies to go offshore.

I offered a plan last year as part of President Obama's 18-member National Commission on Fiscal Responsibility and Reform to make investments that get us out of the economic doldrums, boost job creation, and reduce the deficit—and not on the backs of low-income and middle-income Americans.

We can do it. We need to stop the Republican efforts and protect job-creating programs that benefit the middle class and the safety net programs that help the most vulnerable in our society because that's who we are as Americans.

The Republicans refuse to make the investments necessary to get people back to work because they refuse to give up tax cuts for millionaires and billionaires. Their policies are a prescription for disaster, one that puts families, communities, and our Nation at risk.

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

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

Mr. FILNER. I'm a little disappointed in the amendment by my friend from Arizona. This is our biggest deficit hawk in the House. He wants to cut $18 million from the Defense budget. Did I get that number right, Mr. FLAKE, $18 million? I mean, we've got a $612 billion Defense budget. What are you, .000001 percent of the budget? Not good for a Senator from Arizona, Mr. FLAKE.

I would say let's really get at this. Man, you want to cut the budget? Republican President and Republican Congress funded a whole two wars off the budget. We're talking about trillions of dollars added to our deficit. You don't go after those, Mr. FLAKE. We need you to go after those. We will gladly support you. Eighteen million out of a $612 billion budget? I'll vote for the amendment, and you know, whenever I vote for one, you win.

But let's go after some real stuff in that Pentagon budget, and let's not go after jobs as this underlying bill does. Come on. You know, you talked about jobs the whole campaign. I haven't seen a pro-job bill yet from the Republicans in this Congress, and yet this bill, H.R. 1, cuts millions of jobs.

□ 1610

I am on the Transportation and Infrastructure Committee, Mr. FLAKE. I don't know if you know about it, but the cuts to the clean water moneys—

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Members are advised to address their comments to the Chair, and not to other Members in the second person.

Mr. FILNER. Madam Chair, did you know that the bill cuts millions of jobs from our economy, the cuts to the Clean Water Act, the cuts to the High-Speed Intercity Passenger Rail Program, and other infrastructure cuts? In my State of California, we are losing, just on this bill, almost 50,000 jobs; the total jobs around the country, almost 300,000. Come on. This is not a way to both cut the deficit and keep our economy going.

I happen to represent a border district. I represent the whole Mexican border with California. Madam Chair, I'm sure Mr. FLAKE knows very well the border in Arizona, and he knows that in this bill, the GSA construction and acquisition funding line has been eliminated—eliminated—$894 million worth.

I don't know about in the State that Mr. FLAKE represents, but I'll tell you, in California, you are eliminating the several-hundred-million-dollar modernization of two of the biggest border crossings in our country and the biggest one in the world.

In my district, 300,000 people cross the border every day legally—legally—and they're crossing mainly for jobs and for shopping. We all know we need to make that far more efficient, that crossing, so people can spend money in our country and create jobs. You have eliminated the whole modernization moneys out of this budget, and I'm sure it affects Arizona.

The Otay Mesa crossing where we have all the commercial crossings in California, gone. The biggest border crossing in the world in San Ysidro, gone. Another big one in my district, Calexico, California, gone.

We are leaving billions of dollars on the table, Madam Chair, for jobs in our economy. If we don't have efficient border crossings, we don't have trade. We don't have shopping. We don't have the crossings that are legal that we all want to encourage. These modernization programs went directly at that, not only in California but in Texas, in New Mexico, and I'm sure in Arizona. And yet all those jobs that are created by more efficient crossings are now thrown away.

So the gentleman from Arizona who wants to give up efficient border crossings in his State, you might tell him, Madam Chairman, I don't think that's a good way to run for the Senate. Taking $18 million out of a defense budget of $612 billion is pretty miserly stuff. It's not even a good symbol for a guy running for Senate in the United States.

We should really go after what the Republicans said they are going after. Let's end the war in Afghanistan, save trillions of dollars off the deficit. But more importantly, the cuts that we have seen in infrastructure in this country, the cuts we have seen in GSA are costing hundreds of thousands, if not millions, of jobs. This is a job buster. It should be defeated.

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

Mr. TONKO. Madam Chair, I rise to strike the last word.

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

Mr. TONKO. Madam Chair, while I support the Flake amendment, I oppose the underlying continuing resolution.

The Republicans are here today offering another piece of their ''no jobs'' agenda, and they are in disarray and are hastily pushing an irresponsible and dangerous spending bill that threatens jobs, undercuts American innovation, and jeopardizes investments in rebuilding America.

Creating jobs, protecting the middle class, and reducing the deficit are, indeed, my top priorities. We should be working together to accomplish these very valid goals. However, Republicans have controlled this House for 41 days, nearly 2 months, and brought up zero bills to create jobs. The mindless cuts that are on this floor today mean 1 million jobs cut, 1 million jobs cut from our economy—no jobs for nurses, no jobs for teachers, no jobs for police, no jobs for firefighters, no jobs for manufacturing, no jobs for small businesses.

You cut the deficit by putting America back to work, not by cutting Social Security. Republicans aim to cut Social Security and Medicare. When Republicans say they are cutting costs, they mean cutting Social Security, Medicare, and Medicaid until they don't exist. Ask my seniors in the 21st Congressional District of New York, and they'll tell you to leave alone the Social Security system that has served them well.

Republicans want to make you pay, make you pay for Big Oil's billion-dollar subsidies, make you pay for higher drug prices, make you pay taxes to start a small business, make you pay for CEO salaries, let Main Street take a hit while Wall Street gets a bonus. The American people want Republican leaders to look out for constituents first, not their corporate friends. This careless resolution cuts jobs and damages our economy.

Just 6 weeks after taking charge of the House, Republicans are not just ignoring jobs; they are cutting them, and they admit it. This morning, our Speaker, Speaker BOEHNER, had a response to our concern that this bill destroys—destroys—American jobs. And he said, ''So be it.'' Well, I guess that he meant, so be it if there are 1,300 fewer cops on the beat, because this bill terminates the COPS hiring program. So be it if there are 2,400 fewer firefighters on the job protecting their communities, because this bill eliminates funding for SAFER grants. So be it if there are 20,000 fewer researchers at the National Science Foundation. So be it if there are 25,000 lost construction jobs and 76 construction projects are canceled in 40 States. So be it if there are 200,000 children kicked out of Head Start programs, and so be it if thousands of teachers will lose their jobs.

Mr. Speaker, ''so be it'' isn't a good enough answer for the hardworking middle class of our country.

I agree with the President that we must out-innovate, out-educate, and out-build the rest of the world. We will continue to measure every effort by whether it creates jobs, strengthens the middle class, and reduces the deficit.

I have submitted eight amendments to this irresponsible Republican spending bill to protect and grow jobs, out-innovate other countries in clean energy, protect our seniors, and ensure quality education for our children.

I support efforts to balance the budget. However, I will not support a spending bill that threatens our economic recovery, that cuts 1 million jobs just after we have created 1.2 million private sector jobs since last March, and is achieved on the backs of senior citizens, children, and the working middle class.

Republicans have gone too far, sacrificing Americans' health, safety, and future in order to protect their special interests while offering no real plan to create jobs.

Madam Chair, the American people are united, and they are saying one thing: Show us the jobs.

I urge defeat of this bill.

I yield back the balance of my time.

Mrs. CHRISTENSEN. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from the Virgin Islands is recognized for 5 minutes.

Mrs. CHRISTENSEN. Madam Chair, I rise in opposition to the Flake amendment and also to the underlying bill, and I join Leader PELOSI and my colleagues on this side of the aisle in calling this an irresponsible spending bill that threatens job and economic growth, hampers our global competitiveness, and harms the people who are hurting the most: the working families, the middle class, and the poor.

This CR targets vulnerable Americans because it would cut funding for the things they most desperately need, like food stamps, Head Start, and funding to heat their homes, all to keep a reckless tea party-driven campaign spending cuts goal. And at the end of the day, these kinds of hurtful cuts will never get us a balanced budget, and they certainly will not secure the kind of future we want for our children and grandchildren.

As one of the five representatives of the people of the U.S. offshore territories as well as the ranking member of the subcommittee that has jurisdiction over the territories, I am particularly troubled by the painful cuts this CR will make to the important programs that the people of the territories rely on.

The bill slashes 8.33 percent from the general technical assistance account of the Office of Insular Affairs. Madam Chair, the technical assistance program provides support not otherwise available to the insular areas to fight such things as the deteriorating fiscal conditions which are facing all of the islands and our ability to maintain the momentum that has been made in making and sustaining systemic changes.

□ 1620

These funds also support student training programs for high school and college students, as well as training for insular professionals in financial management, accounting and auditing, as well as other programs.

The program also provides funds to assist the islands in maintaining accreditation for our colleges and universities. What is critical about this meager program, which has not seen an increase in its budget in more than a decade, is that it is funding that the territories could not get anywhere else in the Federal Government. Sparing this very small but essential program from the majority's indiscriminate, meat cleaver approach to budgeting would do infinitely more good than any harm it might cause to the budget. After all, the small amount of money we're talking about here does not move the meter one blip.

Madam Chair, the people of the territories recognize that the Federal budget cannot sustain the path that it's on, and that reductions in spending must be made. But we have done our part and will continue to do our part to reduce Federal spending.

As you look at the budget for the territories, it has not increased in several years, and it has been cut for a number of those years. But the cuts we're talking about in the CR do not only affect the territories. In addition to cutting jobs, there are also disastrous cuts that the Republicans are proposing to health-related programs that are critical to millions of Americans and are integral to all of our efforts to achieve health equity and to eliminate health disparities. These health disparities, which we know leave millions of people of color, rural Americans, and low-income Americans in poorer health, without reliable access to adequate health care, and at greater risk for premature death from preventive causes, also cost the Nation a great deal from an economic point of view. In fact, we know that between 2003 and 2006, the combined direct and indirect cost of health disparities and the subsequent premature deaths that often result, the cost was $1.24 trillion.

Rather than base budget cuts on measures that will save human lives in addition to precious Federal resources, the Republicans are instead proposing cuts that will achieve the exact opposite. We all know from their efforts to repeal the landmark health care reform law, a law that has already begun to expand access to affordable high quality health care to more than 30 million Americans who were in the ranks of the uninsured, the Republicans either do not care about the importance of ensuring that every American and their families have health

care coverage, or they do not understand the value of such coverage in promoting health, wellness, and thus improving life opportunities, or maybe it's both.

And now, we also know that they don't care about or understand the benefits and the needs for the programs and efforts that will significantly improve the health and wellness of some of our Nation's most vulnerable residents by reducing the very health disparities that cost this Nation so much in human lives and in money. In fact, they want to cut more than $1 billion from the Nation's community health centers, the very centers that provide medical homes to millions of hard-working Americans whose health care needs would be poorly addressed without them, and to cut $210 million from maternal and child health block grant programs, more than $300 million from family planning, and $758 million from the WIC program, all of which would have a detrimental impact on the health and wellness of women and children and young families across this country.

I urge my colleagues to reject this budget CR which does nothing to improve the economy and hurts vulnerable Americans.

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

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

Mr. HINCHEY. Yesterday, as we know, was Valentine's Day, but the majority here in Washington is showing no love for the families throughout the district that I represent and all across the rest of this country.

The new majority said they would cut wasteful spending. But instead they're slashing jobs for police officers, jobs for firefighters, jobs for teachers, and many other jobs, all across the country.

They told us they would work to eliminate needless layers of bureaucracy, but instead they're cutting heating assistance for the elderly, food aid for young mothers and infants, and college aid for 15,000 students in the district that I represent and hundreds of thousands of other students all across the country.

They said they would focus on the economy, but instead, they're eliminating energy research and development that we need to create green jobs and compete with other countries around the world. They're sending the workers home on 76 high-speed rail projects underway in 40 states, all very necessary. This hurts real people. It does nothing to address our long-term deficit, and middle class families are the ones who pay the price. The American people don't want more hidden cuts and budgets tricks. We need a plan. We need a solid, secure positive plan.

The national debt we hold today was not created over the last 2 years, as some people are saying. The fiscal crisis we are facing today was inherited from the Bush administration. Under the previous administration, annual budget surpluses were turned into annual deficits. It was Vice President Dick Cheney who said deficits don't matter. Clearly, that's a lesson the new majority has learned well because while they do cut spending with this CR, this bill will undoubtedly worsen our budget deficit. Why? Because it will kill hundreds of thousands of jobs. That means more people unemployed.

The people didn't send us here to tend to the needs of Wall Street and oil company CEOs. So why does the majority stand against the plan to end special tax earmarks that would actually cut the deficit?

We could be discussing how to end government redtape. For instance, in 5 years we could save many billions of dollars by allowing Medicare to negotiate lower prescription drug prices for seniors. But instead, the majority here wants to cut the administrative budget for Social Security. This plan hurts New Yorkers and others all across the country. And it hurts the district that I represent. Fifteen thousand college students in places like Ithaca and New Paltz will get hurt with the maximum Pell Grant falling by $800 as the cost of college continues to go up for students all across America.

And 123,000 low-income pregnant women and new moms in New York will get less assistance with the pre- and postnatal nutrition they need. That will happen to thousands and thousands of others all across the country.

Nearly 2 million New Yorkers who apply for LIHEAP this year will find it harder to heat their homes next year, as will so many thousands of others across the country.

Job training programs like Job Corps in Sullivan County, which will help high school dropouts get the training they need to get good jobs, will get cut out too.

Like a blindfolded child at a pinata party, this continuing resolution takes a bat to all the wrong things at exactly the wrong time. I would urge my colleagues to oppose it.

Stand up for the American people. Stand up for a real plan to reduce the deficit, and fight to save the jobs this country needs so desperately.

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

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

Mr. DOLD. Madam Chair, I appreciate the opportunity to be here. I rise in support of the Flake amendment and know that we, at this point in time, the American public has asked us to tighten our belt. We have to do so. And I believe we have to talk and look at every single department, including the Department of Defense. This specific amendments deals with a very small amount in the Department of Defense, one that Secretary Gates has already outlined and determined that they do not need. This will not jeopardize those that are in harm's way. This will not jeopardize military preparedness. This is yet one small step.

We have, I think, over 400 amendments today, and I'm delighted that those on the other side of the aisle are in support of the Flake amendment, and so we certainly look for its passage.

This right now, what we're talking about in terms of reining in spending, is absolutely what the American people demand. Yes, we've had spending on both sides of the aisle. Washington has a spending problem. We need to cut back on spending. We're spending $1.48 trillion in deficit spending, and I think the President's budget actually brings it up to $1.6 trillion. That's over $3 million a minute in deficit spending.

□ 1630

I come from the private sector. I run a small business. I understand what is going on in the private sector, and I can tell you that out-of-control spending in Washington does not send the right signal and in fact does hurt jobs.

We have to get our fiscal house in order. This is what this is going to attempt to do, and we certainly know that out-of-control spending has not been the answer. I urge my colleagues to support the Flake amendment.

I yield back the balance of my time.

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

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

Ms. WATERS. Madam Chair, I rise to address what I consider very serious problems with this continuing resolution and this defense budget and the lack of attention to jobs.

I am going to talk about something that's quite unpopular. We all know that we have 9 percent unemployment in this country, which is significant. We all know that communities all over America are suffering, not simply rural communities, not simply suburban areas, not simply inner cities. But people are hurting, having lost their jobs, all over America.

In some communities, it's not 9 percent, it's not 10 percent, it's not even 15 or 20 percent. We have communities in America where there is 30 and 40 percent unemployment.

There are those who would like to say, well, that's in those urban areas. No, it is not simply in urban areas. We have poor rural communities that have Representatives who come here every day talking about they are representing them, when in fact they never speak to the needs of those communities. They don't talk about the lack of health care that people have had to endure for so many years, the inability for people in these rural communities to access clinics. Some of us are fighting for all people, not only the cities and the towns, but these rural areas that are being hurt so badly.

Now, it is not popular to even use the word ''poor.'' As a matter of fact, you hear over and over again about concerns for the middle class. Of course, we are all concerned for the middle class. But who represents the poor people in America these days? There are some of us who do, and proudly so, and we are referred to as ''big spenders.'' Tax and spend, they say. And they don't talk about the poverty in their own community.

But let me just tell you, with this continuing resolution the CDBG, Community Development Block Grant, money is going to hurt all of these communities across America. Many of these Representatives who support cutting CDBG from $4.45 billion down to $1.5 billion are going to hurt their cities. Their mayors are absolutely going nuts about what is happening with the cutting of CDBG, the last block grant funding that they can depend on to assist with economic development that helps to create jobs in America.

You hear a lot about that we care about jobs. Well, we know what people care about jobs based on where they place their priorities. My friends are cutting in areas where we could be creating jobs and have demonstrated that they have zero bills to create jobs. The mindless cuts that they are proposing means 1 million job cuts: no jobs for nurses, teachers, police, firefighters, manufacturing, small businesses.

We need to put America back to work, and we can do this if we are sensible, if we are targeting the cuts in areas that can take it.

Why are we spending the amount that we are spending on the military budget and defense budget when we have those who are telling us—for example, Secretary Gates announced his intention to terminate the expeditionary fighting vehicle program and the surface launch medium-range air-to-air missile system. Why are we trying to disregard what we have been told by the very people who understand this defense budget better than anybody else?

No, we want to continue to fund a budget that doesn't need any funding, not talking about how we reduce and eliminate the funding for Afghanistan and bring our soldiers home and put that money into our own domestic needs. We are talking about somehow cutting in ways that they would have people believe that they are helping them when in fact they are hurting them.

This continuing resolution does nothing for strengthening the economy. It does nothing for creating jobs. It does nothing for support of those cities who are fighting desperately to hold on to opportunities for people who have nowhere else to turn. Not only do we have the cuts in areas that would create jobs, but also many of these areas are faced with foreclosures.

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

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

Ms. CHU. Madam Chair, I rise in opposition to this amendment because it doesn't do anything to create jobs. Of course, I shouldn't be surprised. Over the last 6 weeks since the Republicans took over control of the House, they haven't created a single job. In fact, they haven't even put a single jobs bill on the House floor.

With this mindless job-killing Republican spending bill, they are hurting the American people. This bill senselessly cuts over 1 million jobs at a time when we need them most, at a time when we can least afford it. This is nothing more than a Republican pink slip for America.

This bill doesn't get our broken American economy back on track. Instead, Republicans are hitting American workers where it hurts. These merciless Republican cuts mean, if you work in manufacturing, no jobs; if you are a cop, no jobs; if you are a nurse, no jobs; if you are a teacher, no jobs; if you are a firefighter, no jobs; if you are a construction worker, no jobs.

Republicans aren't just ignoring jobs. They are slashing them. And that means pink slips for Americans across the country and across almost every industry. If we aren't helping real Americans, where is this money going? Right into the pockets of big defense contractors.

While Americans across the country are finding themselves out of work due to mindless Republican spending cuts, the military industrial complex will actually be making more money.

While they slash jobs and safety net programs, Republicans are actually increasing funding to the Department of Defense by $10 billion. This spending is excessive and way out of proportion with the needs of the American people.

Even Defense Secretary Gates has found $100 billion in cuts and savings to the Department of Defense while still keeping America safe. That's the entire cost of the job-killing cuts Republicans are asking for here today.

Instead of expanding our economy and growing the middle class, Republicans want to make you, the American people, pay. They want to make you pay to line the pockets of defense contractors, make you pay for Big Oil's billion-dollar subsidies, make you pay for higher drug prices, make you pay taxes to start a small business, make you pay for CEO salaries, make you take a hit while Wall Street gets a bonus. We need to look out for constituents first, not corporate friends.

And this bill isn't even about reducing deficits, because we all know that the best way to reduce the deficit is to put Americans to work, not carelessly gut government programs. Instead, we need to rebuild America and focus on winning the future.

Today's bill is a choice between cutting the deficit or putting Americans back to work, and I am voting for jobs. We need to invest in our Nation so that we can out-innovate, out-educate, and out-build the rest of the world. I want to see the words ''Made in America'' again.

The American people voted for jobs, and all they are getting with this gutting and slashing funding proposal are pink slips. This is a heartless and careless plan that cuts real American jobs and hurts real American families.

I yield back the balance of my time.

□ 1640

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

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

Mr. GARAMENDI. Madam Chair, the amendment before us is a start. Eighteen million dollars out of $720 billion is a start. You might take it one step forward and let's end the war in Afghanistan where we're spending $120 billion and another $30 billion or so in Iraq. Now we've got some real money to talk about.

Because this is a start, I find that it's an unworthy start, and, therefore, I oppose the amendment. However, the real issue before America is not how we can slash and burn in foolish ways that actually lose tens of thousands, hundreds of thousands, indeed a million jobs in the next 7 months, which is the proposal before us with this continuing resolution that the Republican Caucus has put on the floor. It seems to me that if we wanted to create jobs, we certainly wouldn't, as a first step, lose a million jobs in virtually every sector of the economy:

Teachers that are providing services for the early childhood education programs, Head Start, they'll lose their jobs.

Firefighters; 2,400 or more of them will lose their job across the Nation. The COPS program, which has provided jobs for police in our cities, they'll lose their jobs, some 1,300. They just had men and women from my own district come in and say, Why would they want to do that? Why would they want to take cops off the street? I told them, I don't know. I don't understand.

I don't understand this CR. It is the most foolish, nonsensical slash-and-burn I have ever seen. I was in the Department of the Interior in the mid nineties when we actually reduced in a thoughtful way over a 4-year period of time the number of employees by some 12,000—from 90,000 down to the 70,000 range. We did it. And we continued to do the services. But you don't slash and burn. You don't just in a wholesale manner carry out a political promise of $100 billion and foist it upon the American public in this way where we lose a million jobs, where we lose critical services.

California has been in a water war for generations. We rely upon the Bureau of Reclamation. We rely upon recycling. We rely upon these programs. And yet you slash those, and those are real jobs and real programs to deal with the water problems in the West. Why would you do that? What's the

point of that? Why would you go into programs where we need to educate?

My daughter is a second grade teacher. She now has 32 kids in her elementary program; an almost impossible situation. And your cuts that you're proposing will make that situation worse. She cried out to me this week, Why are they doing that, Dad? I said, for some political promise made in a campaign without any thinking about the impact that it has on real human beings, real students, who are trying to get an education.

My final point is this. There are five things that lead to true economic growth. The best education system in the world, and so this CR cuts education. The best research in the world, and so this CR cuts research programs in science, in energy, in health care. The best infrastructure, and this CR cuts infrastructure expenditures. Manufacturing matters; we have to make it in America. You cut out those programs that assist manufacturing. And, finally, we know that we have to have an energy policy and you destroy the beginnings of a green energy, self-sustaining energy program in this Nation.

Why would you do so many foolish things? I don't get it. Perhaps it's because your real agenda is the no-jobs agenda.

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

Mr. JOHNSON of Georgia. I move to strike the last word.

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

Mr. JOHNSON of Georgia. Thank you, Madam Chair.

Madam Chair, we've had promise after promise after promise after promise that the Republicans were going to pay attention to what the people wanted. And what the people want is jobs, jobs, jobs.

I rise in opposition to this amendment, Madam Chair. I want to point out that these Republican cuts that have been proposed are draconian, they are extremist, they are bad for America. They are bad for our economic recovery. Everybody knows that we just came out of the worst recession since the Great Depression. We call it the Great Recession. We're just coming out of it, even though most Americans don't feel it yet. Certainly those folk up on Wall Street who got the bailouts, they feel the recovery, and they are back to the huge bonuses and salaries. They are looking at this Republican Congress to release them from all of the regulatory measures that the Democrats put in place over the last 2 years so that they can continue to party. And while they party, their friends here in Congress on the Republican side of the aisle are busy trying to balance the budget on the backs of working men and women in this country. That's what the CR proposal is all about.

It came out on Friday at 8 p.m.; they issued their plan, and here we are on Tuesday arguing the merits—or demerits, actually—of this plan that is nothing other than a plan that undermines America's future. This plan is going to cause severe job cuts which will hurt our economic recovery.

It is ironic that as reported in the Wall Street Journal, a new Wall Street Journal survey of economists shows that they expect the economy to expand at the fastest pace since 2003—a recovery that would be certainly jeopardized, snuffed out, by this GOP plan. This is going to cut at least 300,000 private sector jobs, according to an analysis by staff at the Transportation and Infrastructure Committee. These cuts, by the way, these 300,000 cuts are less than half of the total infrastructure cuts in the bill. These Republican cuts in investments in roads, bridges, transit and rail include a cut of $1.4 billion in clean water State revolving loan fund moneys, which is $23 million for Georgia; and include a cut of $6.3 billion in high-speed intercity rail funding. That's going to cause people to not be able to go out and work to make that investment in America's future a reality.

□ 1650

A $75 million cut in the TIGER II Program, those are transit projects, is what will happen in Georgia, just in the State of Georgia. So we are talking about massive job losses, 300,000 just with transportation and infrastructure projects, Madam Chairman. The consequence of that extends into our future. It is actually strangling the future of millions of Americans, both working and poor people.

I yield back the balance of my time.

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

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

Mr. CAMPBELL. Madam Chairman, I won't take anywhere near that time, just simply to get back to the amendment offered by the gentleman from Arizona, Mr. FLAKE, which is the matter before us right now, and to say that I support this amendment, Madam Chairman.

The gentleman has very properly, I think, brought up something that the Secretary of Defense has said is one of the areas in which the defense budget can be reduced and we can save money. The greatest threat to the national security of this country today is our debt. The Secretary of Defense has said that. He has said certainly it is a national security threat, as has the Secretary of State. So we need to get this debt down, we need to get this deficit down, we need to do it in every single area of the budget.

I think the gentleman from Arizona's amendment is very proper and a very appropriate one, and I support it.

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

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

Mr. GUTIERREZ. Madam Chairman, I rise to, first of all, support the Flake amendment but also to oppose the underlying bill and the drastic cuts that will devastate the most vulnerable citizens in our Nation.

Just to highlight some of these cuts, the bill will cut $25 million from the Ryan White HIV-AIDS Program and the Aides Drug Assistance Program, ADAP. Now, ADAP is a program of last resort for the poorest Americans who don't qualify for Medicaid or Medicare. Currently there is a waiting list of over 6,000 people in 10 States to receive benefits from this program.

And $850 million in reductions to the CDC, an organization whose first task is to defend us against disease and infection, $850 million. That is smart. Let's just cut and make America more vulnerable.

The bill cuts $1.6 billion in funding for NIH, so I guess we won't need any research since we are going to let the diseases run rampant in America.

It goes so far as to say in the District of Columbia, we are even going to tell you how to spend your very last dollar.

But it gets better. Community Health Centers, Community Health Centers, where the most vulnerable are treated for their health, $1.3 billion in cuts. Community Health Centers will lose the capacity to serve 11 million patients over the next year, and well over 3.3 million current patients will lose their care within the next few months.

The bill cuts $5 billion from the Pell Grants. I did hear that there were a lot of new millionaires elected to the Congress of the United States, so I imagine they can pay for their children's education. But maybe we should think about people that don't have the median income of Members of Congress, people who don't make $175,000 a year, which puts all of us in the top 1 percent of wage earners.

What about the most humble and the poorest and those who wish to aspire one day to lead this great Nation of ours? Shouldn't they be given an opportunity? Not under this program. Let's cut the program, the basic program that allows young men and women to seek a college education, the Pell Grant. Let's eliminate billions of dollars from there also.

But wait, $25 billion to the Federal TRIO Program. That is for the first generation. That is the first kid in a family where nobody has gone to college. Let's cut from that program too.

The program cuts $25 million from GEAR UP. And, wait, $1 billion from Head Start?

I am just going to end with this. I want the public to understand this. We get great health care here, excellent health care. It is not free, but we get great health care. About $400, that is what they deduct from my check. My wife gets good health care, my daughter gets good health care, and so do every one of you get good health care. Shame on anybody that would adopt this kind of budget, knowing very well

the kind of great health care that we get. Cut your health care first before you cut the health care of the most poorest, the most vulnerable in this Nation.

I yield back the balance of my time.

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

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

Mr. ELLISON. Madam Chairman, I rise in support of Mr. FLAKE's amendment to cut wasteful defense spending. Unfortunately, the underlying bill is just another part of the Republican no jobs agenda. Since the Republican caucus has taken over the majority, they haven't put one jobs bill on. I mean, they haven't done a poor job—they haven't done anything. It is as if they are not in favor of Americans having jobs. We know they are, but they haven't demonstrated it in anything they have done, which is the important thing.

Instead, as part of the Republican no jobs agenda, they bring up a bill to cut 1 million jobs, cut 1 million jobs from the American middle class. These cuts are Republican answers for the job crisis that they created. Cutting 1 million jobs. If you are a nurse, no jobs. If you are a teacher, no jobs. If you are a firefighter or police officer, no jobs. If your jobs are from American manufacturing, no jobs. And if you are a small business person, who is going to have any money to even go into your store? No jobs for them either. The list goes on and on.

If you want to know how we cut the deficit, it is by putting America to work, not by cutting Social Security. Make no mistake: When the Republicans say they are cutting costs, they are cutting Social Security, they are cutting Medicare, they are cutting Medicaid, until they cease to exist. Republicans want working Americans to shoulder the whole burden, the burden of a taxpayer-funded spending spree for the rich while protecting millionaires and billionaires who refuse to pay their fair share.

The Republican answer to the crisis they created is, you pay, American people. They must make you pay for Big Oil's billion dollar subsidies. They want to make you pay for higher drug prices. They want to make you pay for taxes to start a small business. They want to make you pay for CEO bonuses. They want Main Street to take the hit while Wall Street gets a bonus.

While Democrats work to create jobs, reduce the deficit, and rebuild America, Republican Speaker JOHN BOEHNER said, so be it if we lose hundreds of thousands of jobs.

Is that what the American people said they wanted in November? The American people want Republican leaders to look out for constituents first, not corporate friends. And now the American people are saying, show us the jobs.

We have been seeing a no jobs agenda, a jobless agenda. Forty days in the majority, and nothing to create jobs. No jobs for the American people. Madam Chairman, we need to make this change.

Will the Republican caucus even today, Madam Chairman, say you know what, we are not going to cut 1 million people, 1 million public employees out of work. We are going to actually do something to create jobs? It appears not, Madam Chairman.

What we need to do is withdraw some of these massive oil subsidies. What we need to do is save some money by not rewarding the wealthiest among us and industries who have not been responsible corporate citizens and actually use it to put Americans back to work so that they can pay some taxes and actually reduce this deficit.

Make no mistake about it, Madam Chairman, we are concerned about the deficit: $200 billion of it goes to interest on the debt. That money could be going to programs that help people, to help children, to help seniors, that can make and strengthen and improve our infrastructure and our country. But instead it goes to this massive debt, built up by Republicans with their massive tax cuts to the rich, two wars and a big pharma giveaway. They created the problem. Now when we try to solve it, they want to put us back in the hole.

□ 1700

So, Madam Chair, I want to say that if this country—our country—has a deficit to fix, let's fix it by a bold, creative, courageous vision of America where we create infrastructure, we create work, we create jobs, rather than just cutting back the social safety net and taking away what little people have. We need to stop the Republican no-jobs agenda.

I yield back.

Ms. JACKSON LEE of Texas. Madam Chair, I move to strike the requisite number of words.

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

Ms. JACKSON LEE of Texas. Madam Chair, sometimes this is a complex debate when we hear words like ''CR'' to a lot of our voters and others who are paying attention to the work that they have sent us here to do. And a lot of times they try to ensure that we use vernacular that, what does it mean? We're in the budget year of 2012 or budget year 2011 or we're doing a CR. I think the plain and simple of it is we're trying to ensure that what you are getting now if you're on a job, if you're a police officer, that we don't turn the lights out on you. And my concern is to let you know that we have been steadily improving. The private sector has been creating jobs under the Democratic policies under President Obama's guidance and, frankly, under this new budget that we'll debate—that is not what we're debating today—that speaks about competitiveness and speaks about infrastructure rebuild, putting Americans to work.

So my gripe with the CR that my friends on the other side of the aisle have now put forward is that they originally came up with a $60- to $74 billion—maybe a thoughtful analysis of what we could cut. Remember, this is in the middle of you working and all of a sudden somebody comes and gives you a pink slip. But rather than stick with what might have been a thoughtful analysis—and, again, I had not studied it; it had not been introduced—all of a sudden they go by the ''We have to be dominated by voices of which force us, without thought, to now make it a hundred billion dollars.''

I'm as angry about the deficit and want a strong budget, which we're not doing right now, and want to work with my good ranking member, chairman of the Defense Subcommittee in the last Congress, Mr. DICKS, on a thoughtful passage going forward, but I want to make sure we stay on a pathway of creating jobs.

There is something to cutting spending. You have my commitment. We came out with a compromise 2 months ago, in December. Some of us agreed; some of us did not. But there were sizable tax cuts. I voted for tax cuts before. But let me tell you why what we're doing today is enormously dangerous: 1,330 cops will be off the street; 2,400 fewer firefighters will be off the street; we will take teachers out of classrooms and lose 25,000 new construction jobs.

There is a provision in the CR that wants to rescind stimulus dollars—sounds like a bad thing—but those dollars are in the pipeline for construction projects where men and women of America are working and feeding their families. Does that make sense, dollars that they pay taxes back to this country?

I don't understand a plan that takes from the working man and woman in this country. I don't understand a plan, for example, that takes $2.5 billion away from high-speed rail, which all over America there has been a sense of inspiration about moving us to more efficient transportation. But the number of jobs to be created cannot be counted. That's an investment in this country. Or do you want to undermine the air traffic control system and begin to trouble America's airways? I sit on the Homeland Security Committee, chair the Transportation Security Committee. I am very hesitant to make a willy-nilly cut to the FAA.

And so what disturbs me is: Why could we jump or why did we jump or how do we jump in 48 hours from $60 million to $74 million of which they said they were cutting? This is a continuing resolution, which means it allows the government, in essence, to keep going on what we are ongoing with. It means people are out there working, doing the bidding of the American people. And, before you know it, because there were complaints and people talking about what they campaigned on, and all of a sudden it's a $100 billion cut with no thought.

Now, I respect people being elected by their constituents, but it is interesting when you read polling numbers from individuals who happen to come from that background of the tea party that want to cut everything, and you ask them about something in their jurisdiction. Say, for example, an Air Force base. The polling numbers show, Don't cut my Air Force base, but you can cut somebody else's.

So here's my concern, Madam Chair. How do you cut Juvenile Justice and the COPS program? How do you cut the Justice Department for all of the voting rights enforcement?

I want to stay on a path. This CR is not a pathway of creating jobs; it's no jobs, and it stops America in her tracks. Let's stay on track and keep investing in jobs in America.

Ms. EDWARDS. Madam Chair, I rise to strike the last word.

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

Ms. EDWARDS. Madam Chair, I rise today because I want to express my concern that I think of the House of Representatives as a place that involves a lot of critical thinking about the work that we do, but the continuing resolution in front of us is neither critical nor thoughtful. It eliminates the COPS program.

Let me tell you about the COPS program, not just around the country where it's going to result in firing 1,330 law enforcement officers, but in one of the counties that I represent where we have had, unfortunately, 18 homicides since the beginning of the year, where we need every law enforcement officer on the beat. Fifty of those officers come from the COPS program. We would lose those officers under this continuing resolution.

Looking at the firing of our firefighters, these are firefighters, first responders out there whenever they're called in every one of our communities across the country, 2,400 of them.

Sometimes, Madam Chair, we speak in numbers that are so extraordinary that ordinary Americans don't understand them. But I think with respect to this continuing resolution, ordinary Americans understand that under the resolution 200,000 students—that's prekindergartners—will be kicked out of Head Start just when we need to give these students a start so that we can grow them and educate them so they're competitive in the 21st century. We're not doing that. Instead, 200,000 students in every State of this country kicked out of Head Start, thousands of teachers who teach them.

This brings me to another cut, a number that the American people understands, Madam Chair—$845. $845 is the amount that would be cut from the Pell Grant program; $845, for those of us who sent a child to college, is the cost of books for the semester.

Madam Chair, I am so shocked by these cuts that I think across this country, the students, if they're not going to get their $845 to buy their books, maybe they should send the bill to Speaker BOEHNER, send their book bill to the Speaker.

I am challenged to understand these cuts, because when I think about an $845 cut to Pell Grants, in my State that's 123,000 students. Madam Chair, in Michigan, it's 646,000 students; in Arizona, it's 340,000 students; millions of students across the country who lose $845 that allows them to buy their biology books, their economics books, their math books, the things that will enable them to be competitive in this century. So, like many Americans, I really don't get that. It is neither thoughtful nor critical.

This cut would mean $2.5 billion in cuts to the National Institutes of Health for cancer research and for other diseases that plague our country and send our health care costs skyrocketing. We want to cut scientists and researchers and medical professionals who are trying to cure the great diseases of our time?

□ 1710

I don't understand it, and I don't think the American public understands it.

And $1.4 billion in cuts for science and energy research, the very thing that will make us competitive in this next generation. The American people don't understand that.

Children, 200,000 of them, in Head Start. Firefighters, 2,400 of them. Police officers, 1,330 of them; 123,000 students in the State of Maryland losing their 845 lousy dollars to buy their books.

Madam Chair, I have to tell you that I think, like many of us in this Congress, we know that we need to bring spending under control, but it cannot be at the expense of working people. It cannot be at the expense of poor people. So it is a sad day in the United States when this Congress has exercised neither critique nor thought in bringing cuts that will devastate the American people and result in no job creation yet again for the last 45 days of this Congress.

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

Mr. DICKS. Madam Chair, I want to remind everyone that we are on the Defense appropriations bill. This is the Flake amendment, and we have cut approximately $15 billion from this defense bill. I understand that there is a lot of concern about the other items here, but I just wanted to make that point.

I yield to the gentleman from Florida if he has anything he wants to say at this point.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

Madam Chair, America is at war. We have soldiers fighting, losing their lives, having serious injuries not only in Afghanistan but in Iraq and, before that, in Kosova and in Bosnia. We have known war for a long time, and cutting the defense budget was unheard of. Yet the subcommittee has been able to recommend $14.8 billion in a very short period of time that we don't think has any negative effect on the national defense.

The idea of the Flake amendment may be a good idea. The subcommittee would like to be able to analyze it to make sure that it doesn't have any kind of a negative effect. It may be, as we go through our process for this year, that we would include that, but the subcommittee would very much like to have an opportunity to review this recommendation by the Flake amendment.

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

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

Mr. SARBANES. I wanted to speak to the underlying CR, H.R. 1.

Madam Chair, in particular I want to speak to the fact that the American people have been very clear in their understanding that what we need to do is rebuild the country and that we need to rebuild America. Yet everything that is being proposed by the Republicans in this continuing resolution undermines that goal.

Rebuilding America means rebuilding our infrastructure, and we can talk about that infrastructure in a number of different ways. We can talk about rebuilding and investing in our physical infrastructure. That's roads, bridges, tunnels, highways, and building up the strength of our physical infrastructure, which we all know we have to do. All you have to do is look at the newspaper or watch television, and you will see examples every day of the crumbling infrastructure out there. So we have got to commit to that, but the Republican budget would undermine that objective.

We have to rebuild the civic infrastructure of this country and keep it strong. What do I mean by the ''civic infrastructure''? I am talking about service programs like AmeriCorps and the Corporation for National and Community Service, which creates an infrastructure that says to those people who want to volunteer and serve their country—1,000 points of light—we are here to partner with you in doing that. Yet the Republican proposal would zero out that civic infrastructure.

It's about investing in human infrastructure and building up human capital. That's education and health care and job training and innovation and technology. That's what human capital and human infrastructure is about. Yet we can look through this budget and find examples of cutting those priorities as well.

How does that build up America? That tears America down. It doesn't build it up.

As for the last piece of this, if you're going to make America strong and keep it strong, you've got to preserve the natural resources of this country. I

looked at a couple of the numbers here in terms of what's being done that would hurt our environment under the proposal. I'll just mention a couple of them.

Cutting the Environmental Protection Agency by 29 percent, a $3 billion proposed cut. Now, how are you going to protect the environment if you cut by almost a third the agency whose mission it is to do that? That's essentially giving a free license to the polluters of America. That's an unconscionable proposal.

I come from Maryland. We care about the Chesapeake Bay in Maryland. It has been a national commitment to preserve this national treasure, the Chesapeake Bay. Last year, through an executive order, the President made it a priority. There are partnerships at the Federal, State and local levels and with the private sector to try to save and protect the Chesapeake Bay, but these proposals would undermine that.

Cutting over $1.7 billion from the Clean Water and Drinking Water State Revolving Funds. In Maryland, that would cost 1,000 jobs. This is an important source of financing for people to implement best practices to clean up the Chesapeake Bay. Why would we undermine that?

There are other elements with respect to our natural resources. We've got to enforce pollution standards. The EPA is in a position to do that, but not if we cut their funding. This would endanger rivers and streams that feed the Chesapeake Bay.

The last observation I would make, and this is sort of the overarching concern that I have, is that I really believe in the idea of citizen stewardship, in the idea that ordinary citizens step forward every day and decide they're going to commit themselves to cleaning up the environment. Our young people are committed to that, the next generation; but they want to see that the Federal Government is going to be a real partner in that effort. If we abdicate that responsibility, then there are going to be a lot of young people, a lot of ordinary citizens, who are going to get disillusioned in terms of their own commitment to cleaning up the environment.

We need to step forward. We need to stay strong and be a partner in protecting our environment; but what the Republicans have proposed in this continuing resolution would completely undermine that.

I yield back the balance of my time.

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

The Acting CHAIR. The gentlewoman from the District of Columbia is recognized for 5 minutes.

Ms. NORTON. Madam Chair, the underlying bill is a special insult to the Americans who voted for the new majority on the promise of jobs. They might forgive that the mjority does not know how to produce jobs or that they haven't produced jobs yet, but they will never understand a bill that will make history on the number of jobs it affirmatively destroys.

The deficit commission warned about cuts that are at the centerpiece of the majority's bill, cuts that don't distinguish between short-term and long-term deficits, between the job-producing role of government investment during an economic turndown and the needed savings to reduce the long-term deficit, which must go on simultaneously; but the majority loses its focus entirely with its obsession on snatching local authority, over local funds from the District of Columbia.

While the majority wants to make draconian cuts in most Federal programs, putting at high risk the economy itself, it simultaneously expands Federal power into the local funds and affairs of a local jurisdiction, the District of Columbia. Three riders in this bill are anti-self-government, having nothing to do with the underlying bill or the Federal Government.

□ 1720

Particularly cruel, apart from the home-rule violation, is the attempt to reimpose a provision that would keep the District of Columbia from spending its own local funds on needle exchange programs. If this is reimposed, a rider I got off during the last few years, it will cost lives and spread HIV, as it did for the prior 10 years.

But they're not through there. The majority takes a hard-line approach, even when I asked for and was denied the right to testify before the Judiciary Committee on yet another rider, a rider that would keep local District of Columbia funds from being spent on abortions for poor women. What business is it of any Member of this body how the District of Columbia spends its own money, which it raises from its own residents and businesses?

Mr. Speaker, they go further. They try to reestablish a voucher program in the District, ignoring a compromise reached last Congress to allow every child now with a private school voucher to remain in the program until graduation. It disregards the fact that the District has the largest public charter school alternative in the United States. Almost half of our children attend these schools. If the majority wants to give money for alternatives to public schools, then they've got to respect our choice.

Republican support for vouchers—only in the District of Columbia—exposes them for where they really stand on vouchers and school choice. There is wholesale support in this body for public charter schools. They will not bring a voucher bill for the Nation to the floor because polls and referenda in the States show there is zero national support for private school vouchers. Instead, Republicans single out the District and only the District, ignoring the city's own extraordinary, flowering public charter school program. Our choice, not someone else's who has nothing to do with us.

You cannot try on this floor to slash Federal power while dictating local policy and how local money should be spent. Those two don't go together.

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

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

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

I could spend my time talking about the cuts to the Low Income Heating and Energy Program, LIHEAP, and that's important because there are many people in my district suffering through the worst winter in Memphis' recent history and one of the worst winters in the country's history that need help with their utility bills more than ever. And that's, I think, an awful thing when people are suffering from the inability to pay their utility bills that we're cutting LIHEAP.

I could talk about what we're doing to law enforcement, cutting the COPS program that puts police on the street and helps local government put new policemen on the street to protect our people, and cuts to State law enforcement spending.

I could talk about the many calls and letters I've gotten from people concerned about title X cuts that will affect 5,500 in my community, women that won't be able to get family planning services, which include cancer screenings, annual exams in my city.

I could talk about cuts to NPR, cuts to the National Institutes of Health, where they're looking for cures for cancer and Alzheimer's and diabetes and other illnesses that affect our populace which we need to cure as soon as possible. Or cuts to the FDA, $241 million to keep our food safe and preserve public health.

Or cuts to Social Security and Medicaid. A gentleman stopped me Saturday and said, please, you tell the people in Washington, don't mess with our Social Security and Medicaid, but there are great cuts there as well.

Or the $18 billion cut to transportation—and Memphis is a transportation hub with rails and roadways and runways and river transportation, and $18 billion in cuts to transportation is going to hurt the growth of our economy and sending goods to market.

I could talk about any of those items. I could talk about the cuts to legal services and the fact that more and more people need legal services in these economic times. The housing crisis hasn't left us, and people need representation.

I could talk about cuts to education in historically black colleges and universities and Head Start programs. How are we going to compete, which we are not doing well in science and math, with the Chinese and the Indians if we cut these programs? I could talk about any and all those programs.

But one thing I want to do is I want to read a column called ''Eat the Future,'' and Paul Krugman, a Nobel

Prize-winning economist, wrote this. So I just think it's worthy to listen and have it heard on this floor what Mr. Krugman said yesterday, Nobel Prize-winning economist.

''On Friday, House Republicans unveiled their proposal for immediate cuts in Federal spending. Characteristically, they failed to accompany the release with a catchy slogan. So I'd like to propose one: Eat the Future.

''I'll explain in a minute. First, let's talk about the dilemma the GOP faces.

''Republican leaders like to claim that the midterms gave them a mandate for sharp cuts in government spending. Some of us believe that the elections were less about spending than they were about persistent high unemployment, but whatever. The key point to understand is that while many voters say that they want lower spending, press the issue a bit further and it turns out that they only want to cut spending on other people.

''That's the lesson from a new survey by the Pew Research Center, in which Americans were asked whether they favored higher or lower spending in a variety of areas. It turns out that they want more, not less, spending on most things, including education and Medicare. They're evenly divided about spending on aid to the unemployed and—surprise—defense.

''The only thing they clearly want to cut is foreign aid, which most Americans believe, wrongly, accounts for a large share of the Federal budget.

''Pew also asked people how they would like to see the States close their budget deficits. Do they favor cuts in either education or health care, the main expenses States face? No. Do they favor tax increases? No. The only deficit-reduction measure with significant support was cuts in public-employee pensions—and even there the public was evenly divided.

''The moral is clear. Republicans don't have a mandate to cut spending; they have a mandate to repeal the laws of arithmetic.

''How can voters be so ill informed? In their defense, bear in mind that they have jobs, children to raise, parents to take care of. They don't have the time or the incentive to study the Federal budget, let alone State budgets . . . So they rely on what they hear from seemingly authoritative figures.

''And what they've been hearing ever since Ronald Reagan is their hard-earned dollars are going to waste, paying for vast armies of useless bureaucrats—payroll is only 5 percent of Federal spending''—and others.

The bottom line is they've been hearing lies about the Federal budget. They've been hearing lies about the Federal bureaucracy. PolitiFact said that the biggest lie in 2009 was death panels. In 2010, it was government takeover of health care. If the Republicans get PolitiFact's Lie of the Year this year, they will get the Irving Thalberg lifetime achievement award. I hope they don't get it.

Ms. HANABUSA. Madam Chairman, I move to strike the last word.

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

Ms. HANABUSA. Madam Chair, I don't believe there's anyone in this body who doesn't believe we must get ahold of our budget. I don't believe that there's anyone in this body who doesn't feel that when we do that, we've got to keep in mind that we serve the people, and we also must keep in mind that the one thing that we all are here to do is not to make their lives worse but to try to make their lives better, and in addition to that, we are here to try to build that public confidence which is the only way we will see the rise in our economy.

Madam Chair, when I looked at the amendment, the thing that struck me the most is that in my district, there was a provision in here that zeros out what is called the Native Hawaiian Housing Block Grant. It goes to zero. It's at $13 million now. In that same section, it also zeros out the Department of Housing and Urban Development's Public and Indian Housing revitalization of severely distressed public housing. It zeros out the Department of Housing and Urban Development's public and Indian housing. It zeros out the Department of Housing and Urban Development's community planning and development brownfields redevelopment, just to name some of the programs that have been zeroed out.

□ 1730

Let me tell you about the program of native Hawaiians. This is a program that, in our difficult economic times, managed to build, managed to build roads, managed to build programs. This is a program that was leveraged, leveraged so we had construction projects going, so we had housing developments going, and we have zeroed them out, $13 million, zeroed them out.

When we start to look at the budget and we start to think about what we must cut, the one thing I would like to think that we put a lot of credence in is which one of these programs is being leveraged and doing what we want.

In addition to that, Madam Chair, look at community health systems. Everyone knows the Hawaiian Islands are islands. The only mode of transportation for our people between islands is expensive airfare. We don't have a ferry system. We definitely don't have roads that join our islands. It's airlines. For the underserved, they have to fly for health care. So community health systems, when we cut $1 billion out of that budget, $1 billion, imagine what that means for the provision of one of the most essential, essential parts of a person's life, the feeling of knowing that you have health care, and we have cut that out of the budget. It's not only Hawaii; it's elsewhere. But think about what that means.

And for small communities who rely on CDBG, the Community Development Block Grant program, we've cut it approximately $2.5 billion. Why? That is what gets services to the people. This is what we have.

We have already discussed the fact many times that we are cutting Head Start. There are 200,000 young kids who are not going to get that opportunity.

We are cutting the Pell Grants, and that, of course, is going to make a reduction of about $800 per middle class family.

These are all part of this amendment as well.

But for myself, as someone who represents this State that's gotten zeroed out on a program that has done exactly—exactly—what government wants to see done, which is to make jobs, to give opportunities, we have cut it. Now, why would we do that? That is because we have not taken into consideration or remembered what we are here to do. We are here to serve the people, Madam Chair.

I yield back the balance of my time.

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

The Acting CHAIR. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. CICILLINE. I rise in support of this amendment but to oppose the underlying Republican continuing resolution.

The spending bill before us is born out of an ideology that cuts right to the heart of our values as a country, and our priorities, too. Because that is what a budget is supposed to reflect: our values and priorities as a nation. Our priorities are to strengthen the middle class, to reduce the deficit, and to create jobs.

And we can see very clearly where my colleagues on the other side of the aisle have placed their priorities. It's not in the well-being of our workforce, not in the effectiveness of our classrooms, not in the safety of our neighborhoods. The priorities of the majority party are not with the people who have worked hard all of their lives to earn a decent wage, buy a decent home, put their kids through school, and do what they can to keep their families and communities strong.

The priorities of my friends on the other side of the aisle lay with America's most successful: the hedge fund managers, Wall Street financiers, and the investment bankers. Our Republican colleagues are pushing a spending bill that is irresponsible and ignores the needs of a healing nation. It cuts jobs, threatens American innovation, and diminishes investments in rebuilding America. And to what extent? Well, I can tell you, as a former mayor, I have seen firsthand the consequences of what is being proposed. Some of the most egregious cuts come at the expense of our most vulnerable and some of the most immediate job creators and economic growth engines that I know of.

Our colleagues are gutting more than $340 million from the Community Service Block Grants and nearly $3 billion

from the Community Development Block Grant program. These are real dollars that are putting Americans back to work and helping small businesses in communities all across this Nation.

In addition, this budget slashes $1.6 billion in job training and cuts $120 million in alternative youth training that prepares kids for work in construction and other trades, critical skills that are necessary to help us make things again here in America.

Our colleagues, since assuming the majority last month, haven't offered one single piece of legislation that would create jobs. My friends on the other side of the aisle, at the same time that they are cutting billions of dollars in jobs programs that will help put Americans back to work, are continuing to support hundreds of billions of dollars in tax breaks to companies that are shipping our jobs overseas. While they cut 200,000 children from receiving early childhood education through Head Start, they are giving $43 billion in subsidies to the oil and gas companies.

This Republican proposal cuts Pell Grants for 9 million students, making it difficult and, for some, impossible to continue to go to college while at the same time continuing to give large agricultural corporations billions of dollars in Federal subsidies.

This is a question of priorities, and it's clear what the priorities of my friends on the other side of the aisle are. The Republicans are moving forward with a dangerous spending bill, one that continues to give rewards to the rich and literally guts the initiatives most meaningful to middle class families.

The work of reducing our deficit and controlling spending will be hard, to be sure. The fact of the matter is that we have to cut spending and we have to be serious about it, but we have to do it responsibly. We cannot cut what makes us competitive and what helps us to innovate, succeed in the global economy, and ultimately create jobs.

I know that the priorities that we have set are the priorities of getting people back to work. My friends, we owe it to the hardworking people of our Nation who are struggling to get by, who are playing by the rules but just waiting for someone to stand up for them rather than stand up for the rich guy on Wall Street. We owe it to America's hardworking people to have a serious and thoughtful debate with the hopes of producing a smart and sensible budget for our country. And that's why it's critical we ask our Republican friends: Just what are your priorities? Do we have the courage to stand with our country's greatest assets, our hardworking people? Or do we stand with the people who have enjoyed the most at the expense of everyone else?

America's future depends on harnessing the innovation, education, and entrepreneurship of our fellow Americans. This budget proposal undermines that opportunity, endangers our recovery, and makes our future less certain.

I yield back the balance of my time.

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

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

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

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

The Clerk will read.

The Clerk read as follows:

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $2,840,427,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,344,264,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $275,484,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,291,027,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $6,454,624,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, $5,963,839,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $14,068,000, of which not to exceed $5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $464,581,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $304,867,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $502,653,000, to remain available until transferred: *Provided*, That the Secretary of the

Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $10,744,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $316,546,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), $108,032,000, to remain available until September 30, 2012.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, $522,512,000, to remain available until September 30, 2013: *Provided*, That of the amounts provided under this heading, not less than $13,500,000 shall be available only to support the dismantling and disposal of nuclear submarines, submarine reactor components, and security enhancements for transport and storage of nuclear warheads in the Russian Far East and North.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, $217,561,000.

□ 1740

Mr. CONNOLLY of Virginia. Madam Chairman, I move to strike the last word.

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

Mr. CONNOLLY of Virginia. Madam Chair, I will not use 5 minutes.

The United States imports over 60 percent of all the oil we consume, most of which is used for vehicles. OPEC alone exports 2 billion barrels per year to the United States. At a cost of $90 per barrel, approximate current price, this represents a $180 billion tax that our oil dependence imposes on American consumers.

Some OPEC countries that profit from our oil dependence are listed by the State Department as sponsors of terrorism, Madam Chairman. Fortunately, we're using Clean Air Act amendments to reduce our dependence on foreign oil. In April, automakers joined auto workers and President Obama to announce a landmark fuel efficiency standard that will improve auto efficiency 30 percent by 2016. These standards will save Americans $3,000 per vehicle for each car purchased in 2016 or later and reduce our oil dependence by 77 billion gallons over the life of the vehicles produced between 2012 and 2016. This efficiency improvement will keep $9.9 billion from being sent to OPEC countries.

In section 1746 of this continuing resolution, the Republicans have proposed cutting off funding for implementation of the Clean Air Act, which is the law that has made these vehicle efficiency investments possible. Americans cannot afford, Madam Chairman, to send more money to Libya and Iran.

I urge my colleagues to reject this attack on the Clean Air Act.

I yield back.

The Acting CHAIR. The Clerk will continue to read.

The Clerk read as follows:

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $5,254,791,000, to remain available for obligation until September 30, 2013.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,570,108,000, to remain available for obligation until September 30, 2013.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,461,086,000, to remain available for obligation until September 30, 2013.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,847,066,000, to remain available for obligation until September 30, 2013.

OTHER PROCUREMENT, ARMY

(INCLUDING TRANSFER OF FUNDS)

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications

and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $8,145,665,000, to remain available for obligation until September 30, 2013: *Provided*, That of the funds made available in this paragraph, $15,000,000 shall be made available to procure equipment, not otherwise provided for, and may be transferred to other procurement accounts available to the Department of the Army, and that funds so transferred shall be available for the same purposes and the same time period as the account to which transferred.

AMENDMENT NO. 87 OFFERED BY MR. POMPEO

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 22, line 18, after the dollar amount, insert ''(reduced by $15,000,000)''.

Page 22, line 20, after the dollar amount, insert ''(reduced by $15,000,000)''.

Page 27, line 9, after the dollar amount, insert ''(reduced by $15,000,000)''.

Page 27, line 11, after the dollar amount, insert ''(reduced by $15,000,000)''.

Page 31, line 11, after the dollar amount, insert ''(reduced by $15,000,000)''.

Page 31, line 13, after the dollar amount, insert ''(reduced by $15,000,000)''.

Page 32, line 9, after the dollar amount, insert ''(reduced by $15,000,000)''.

Page 32, line 11, after the dollar amount, insert ''(reduced by $15,000,000)''.

Page 33, line 9, after the dollar amount, insert ''(reduced by $105,000,000)''.

Page 33, line 16, after the dollar amount, insert ''(reduced by $105,000,000)''.

Page 34, line 6, after the dollar amount, insert ''(reduced by $105,000,000)''.

Page 34, line 17, after the dollar amount, insert ''(reduced by $124,200,000)''.

Page 34, line 17, after the dollar amount, insert ''(reduced by $3,200,000)''.

Page 34, line 19, after the dollar amount, insert ''(reduced by $3,200,000)''.

Page 359, line 6, after the dollar amount, insert ''(increased by $502,400,000)''.

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

Mr. POMPEO. Madam Chairman, let me begin by thanking Chairman ROGERS and Ranking Member DICKS for the hard work that they did on the Defense appropriations bill. It was yeoman's work in difficult and challenging fiscal times to present a defense budget that makes sense for America. And there is no one who's come to Congress as a Member of this new freshman class who believes more strongly in making sure we have a strong national defense. It's for that reason that I move to reduce spending in that budget by $502 million with the amendment that I am proposing. This $502 million is spread among various procurement and research and innovation programs, and it is money that was not requested by the Department of Defense. This $502 million could certainly go to some program that they had asked for, but it's in a place that used to be reserved for earmarks. There is no particular program to which this $502 million is attributed. It goes assertedly for innovation. But we all know that innovation occurs in the private sector. And that's what this new majority is about. It's wrong to add $500 million to our deficit for a series of programs with no particular purpose except for the needs of businesses that once survived on those very earmarks.

And so, while I am very pleased with the fact that this piece of legislation has removed earmarks and has moved us towards a great deal more transparency, I would urge my fellow Members to vote for this amendment so that we can continue to get rid of the very vestiges of earmarks that voters asked us to get rid of.

I yield back.

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

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

Mr. YOUNG of Florida. The amendment sounds good. But unlike the Flake amendment, which sounded good, and we'll learn more about it, that was a small amount of money. This is a half a billion dollars.

A lot of people are of the opinion that government has the answer to everything. Government doesn't even have the questions to everything, let alone the answers.

And how many people in this Chamber have any idea how much technology our warfighters are using today? Whether it's on the battlefield or whether it's in training, whatever it might be, how many people know how much was created by small business or large business?

American industry produces good ideas most of the time. And much of what we see on the battlefield today and in the Armed Services came about because of innovations from small business and big business. Who knows?

If somebody can tell me how much of those great systems that we create for our soldiers, how much of that came from innovation, how much of it came from the government, then I might change my mind.

But we don't know today. You give the committee an opportunity, we'll find out. We'll find out how much this innovative, the SBIR, how much it provides compared to industry, large and small. But today we don't know the answer. And for a half a billion dollars, we need to know the answer.

So I don't object to the gentleman offering the amendment, really. But I do object to the gentleman's amendment because we don't know what the effect of it would be. We'd like to find out, and we think we owe it to the Members of this House who are responsible for the national defense to find out for them.

I yield back.

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

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

Mr. DICKS. I rise in very strong opposition to this amendment. The amendment deletes $60 million from procurement and $502.4 million from research and development. The sum of this funding is for innovative research and procurement from small businesses and unsolicited proposals.

And the gentleman from Florida and myself, and the gentleman from California, we've been here a long time. We have seen time after time when weapon systems like Predator and ScanEagle, I mean, there's all kinds of things that have happened because of small businesses. And when we made a decision to cut out earmarks for for-profit companies, one of the things that our committee did on a bipartisan basis, with unanimity on both sides, was to say let's put some more money into this competitive program, the Small Business Innovation and Research Program, which is at NIH, and at a number of agencies, I think DOE has one. This is a way to bring small businesses into the Defense Department on a competitive basis. And they do things that the Department needs to have done.

So I rise with my chairman, Mr. YOUNG, in strong opposition to this amendment. This was done to try to help the small business sector still make the contribution in the future for innovative new defense technologies. It's a good program and one that we should support.

I yield back the balance of my time.

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

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

Mr. FLAKE. I won't take the 5 minutes. I just want to rise in strong support of this amendment. The gentleman is right; this was not asked for by the Department of Defense. And if we could save a half billion dollars, money that will not affect the war or the warfighter—but we see these kind of programs all the time. And it's more a way to generate economic activity than actually respond to any need. It assumes that the private sector out there, and small businesses aren't innovating on their own unless we ask them to do it.

□ 1750

Unless we specifically direct them or provide money for them to do it, they won't do it at all. That's just a false assumption.

So I commend the gentleman for bringing the amendment to the floor.

I yield to the gentleman from Kansas.

Mr. POMPEO. Madam Chair, I would just like to add that I came from that very sector, small business. Until 45 days ago, I was running one, and I understand how small business works.

What we don't need is government taking our money and handing it back to folks. What we need is to be left alone. We need smaller government. That's my core problem with the legislation for SBIRs. Government doesn't do a very good job of picking out which of those small businesses will be successful and which piece of technology will prove to be the one that will be good for our warfighters.

If it will shrink government, if it will reduce taxes, then those small businesses will be successful. They will provide those technologies, and they will take wonderful care of every one of our soldiers, sailors, airmen, and marines.

Mr. FLAKE. Reclaiming my time, I just want to say, in closing, the gentleman is exactly right. Any dollar that we provide in this program has to be taken from a small business or an individual through taxes. That is money that they can't use to innovate on their own. And to actually go out and to respond to an RFP or to respond to needs of the Defense Department or to contract with them, they can do that without us having the specific program for them. So I urge support for the amendment.

I yield back the balance of my time.

Mr. FRANK of Massachusetts. Madam Chair, I move to strike the last word.

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

Mr. FRANK of Massachusetts. I welcome this amendment.

I am struck when I hear some of my colleagues on the more conservative side, although this is not uniformly them, some on the conservative side are offering this amendment. We have this interesting dichotomy about whether or not the Federal Government can ever create jobs. In general, the conservative view is the Federal Government never creates jobs. In the military area, somehow there's an exception.

We are told here that there is a constructive relationship that can exist between small businesses and the military that we are told doesn't exist elsewhere; but the major reason for cutting this is we are, at this point, overextended militarily.

Of course, there is unanimity here that we want Americans to be the strongest Nation in the world. We are of course the strongest Nation in the world, and no one is second. We are overcommitted in a number of areas.

The military has become not the instrument of self-defense by the United States, but the instrument to protecting political influence, and protecting influence militarily is often inefficient so that reducing this spending, as reducing other forms of military spending, is essential if we are to begin to hold down the deficit.

Now, I am going to be talking tomorrow, and we're only talking in military terms of half a billion dollars. In terms of the defense budget, that appears to be relatively small, but it is more than enough than would be needed to fund the Security and Exchange Commission and the Commodities Futures Trading Commission at the full level they need to regulate derivatives and hedge funds.

We have a massive disproportion in which we overspend militarily far beyond what is needed to protect ourselves. Our military budget is the largest foreign aid program in the history of the world. It exists to provide subsidies to our wealthier allies who face no threat. And to the extent that we can reduce that, particularly in an area where the Defense Department itself did not even ask for the funds, we curb unnecessary spending.

As I said, tomorrow I will be offering an amendment to try to give the Securities and Exchange Commission the ability to regulate hedge funds, or at least to keep track of them. We will be trying to offer funding to protect consumers from credit card abuse and trying to provide funding to regulate derivatives.

Taken together, those three agencies are being cut by an amount smaller than one-half billion, and we will be told that we can't afford that. So I welcome the gentleman pointing out the inconsistency between those who say that the private sector should be left to its own and the public sector does not become the job creator here in this way, and I welcome also the chance to begin, as I will be supporting the amendment of the gentleman of Arizona, this massive disproportion in which we overspend militarily. And I say ''overspend,'' because it is far beyond what is needed for the legitimate defense of the United States. It has become a form of staking our political interests, and it comes at very great cost to virtually everything else we want to do, as well as constraining the deficit reduction.

I yield back the balance of my time.

Mr. MORAN. Madam Chair, I move to strike the requisite number of words.

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

Mr. MORAN. I rise in opposition to this amendment, in support of what the ranking member of the Appropriations Committee has said as well as Chairman YOUNG both of whom have substantial years of experience behind them.

Now, what Mr. FRANK has suggested has merit, but to support this amendment is a non sequitur to that argument. As for the gentleman from Arizona, at least he is consistent. As for the gentleman offering the amendment, well, let me try to explain why it is counterproductive. It defines the phrase ''penny wise and pound foolish.''

In fact, where we have made our greatest strides within the defense budget is in small business innovation. There are half a dozen very large defense contractors. They serve our country well. They take good ideas, they hire people, they develop them, they achieve major procurement contracts with the Defense Department. But, for the most part, they don't come up with the innovations. It's the small businesses throughout the country, that more often than not, come up with those innovations.

For example, the predator drone that has been the most successful weapon in Afghanistan was an earmark for small businesses with an innovative idea. An idea, incidentally, that was initially opposed by the Defense Dept. Much of our IED success in saving lives has come from small businesses.

Much of the simulation training that we provide our troops so they don't have to put their lives at risk, but rather can achieve the kind of training that gives them the skill set to represent us with such courage and effectiveness on the battlefield, that comes from small business innovation.

And what we are trying to do now is to put a relatively small sum of money together so that thousands of small businesses throughout the country can compete for those small grants.

Now, the fact is, as much as I respect the defense contractors, it is not necessarily in their interests to innovate, to come up with cost-cutting efficiencies, because it means that you have to reduce personnel and contract costs. Oftentimes, it exposes the fact that we're paying more than we need to for innovative approaches to securing our country. It is the small businesses of this country that really provide the ability for us to find the highest level of efficiency and effectiveness within our Defense Department.

For half a billion dollars, we will find more ways to save thousands of lives and we know we will save tens of billions of dollars in the long run. That's what this program is all about. It's a departure from the way we have done things. It's all about saving money, not relying upon Big Business or Big Government, but letting small businesses flourish who otherwise couldn't get the capital, wouldn't have the investors, couldn't pull the personnel together and pay them long enough to be able to adequately develop the potential of a great idea.

So this small pool of innovative research money will fund great ideas, ideas that make our troops safer, that enable us to let our dollars go further, and in fact enable our Nation to be far more secure. This is just the kind of program we ought to be funding more of in the Defense Department. That's why I would strongly urge defeat of this amendment.

□ 1800

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

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

Mr. DICKS. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

the gentleman from Kansas will be postponed.

The Clerk will read.

The Clerk read as follows:

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $16,170,868,000, to remain available for obligation until September 30, 2013.

Mr. GUTIERREZ. I move to strike the requisite number of words.

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

Mr. GUTIERREZ. Madam Chair, I rise today to introduce my amendment to cut funding for the V–22, a hybrid helicopter/airplane that was in development for more than 25 years, cost the lives of 30 individuals before it ever saw combat, and still does not meet operational requirements in Iraq. Cost overruns have plagued the V–22 since its development. Initial estimates projected $40 million per plane. But today it has exploded to $120 million per plane—a threefold increase. This amendment would save $415 million for the remainder of fiscal year 2011 by cutting funding for the V–22 from the Air Force and Navy's aircraft procurement accounts.

In 2009, the GAO found that the Marine Corps received 105 V–22s. Of those, fewer than half—only 47—were considered combat deployable. But on any given day, there are an estimated 22—fewer than one in four—ready for any combat. This is largely due to unreliable parts and maintenance challenges. It was reported that 13 of the V–22's parts lasted only 30 percent of their life expectancy and six lasted less than 10 percent. In addition, the GAO found that the V–22 did not have weather radar and its ice protection system was unreliable. Not me. GAO. So that flying through icy conditions is prohibited on this plane. Can't do it. Icy conditions are often found in Afghanistan. Oddly enough, the V–22 also had problems in dusty conditions, which, coincidentally, also exist and is common in Afghanistan.

So I ask my colleagues, why do we continue to fund this boondoggle? The majority claims to have made some tough choices in this bill. Apparently this includes continuing to fund a plane that Dick Cheney called, a, quote, turkey and tried to kill four times when he was Secretary of Defense. It should also be noted that Dick Cheney did not often meet a defense program he didn't like, so this should be very telling to everyone here. In order to continue funding this plane, this Congress proposes steep cuts to be made on the backs of the most vulnerable citizens.

H.R. 1 puts the safety of American families at risk. The bill eliminates COPS hiring, a program that will put 1,330 fewer cops on our streets. The bill cuts the SAFER program, which means there are 2,400 fewer firefighters protecting our communities; so that we can build a plane that can't fly under icy conditions, can't fly when there's sand, and one out of four is ever used at any given time?

The majority has made the shortsighted choice to cut $1.3 billion from community health centers which, according to the CEO of the National Association of Community Health Centers, is equivalent to terminating health care to the entire population of Chicago, or to everyone living in the States of Wyoming, Vermont, North and South Dakota and Alaska combined. Why? For a plane that cannot fly when it's icy, which cannot fly when it's dusty. And where are we at? In a combat situation where we need it to do both things.

Look. If this weren't enough, the bill also eliminates title X funding which provides services for cancer screenings, annual exams, STD testing and contraceptives.

H.R. 1 would also cut $5 billion from Federal Pell Grants. In Illinois, this will reduce financial aid to 61,000 poor students. And as I had suggested earlier here today, maybe as Members of Congress, maybe because we are in the top 1 percent of wage earners in the United States of America, people of America understand we make $175,000, each and every one of us, and there are over 150 millionaires in this body, maybe we don't care. Maybe you can cut the Pell Grant program because you don't care whether kids get ahead and are able to go to college. But some of us should, especially those of us that have been blessed with the riches of wealth in this Nation and allowed to be able to serve in this body.

And so I simply say, Let the kids go to school. Let there be health care for the most vulnerable of Americans. And all we will be missing is this boondoggle of a hybrid helicopter that does not serve the purpose for which it was proposed.

I yield back the balance of my time.

Mr. MEEHAN. Mr. Chairman, I move to strike the last word and to speak in opposition to the amendment that was just proposed by the gentleman from Illinois.

PARLIAMENTARY INQUIRY

Mr. YOUNG of Florida. Parliamentary inquiry, Mr. Chairman.

The Acting CHAIR (Mr. THORNBERRY). The gentleman will state his inquiry.

Mr. YOUNG of Florida. Do we have an amendment before the House at the present time?

The Acting CHAIR. We do not.

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

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

Mr. MEEHAN. I appreciate the opportunity to speak on behalf of this very, very significant and important piece of military hardware, the V–22 Osprey. Notwithstanding the discussion in which the GAO has made a report, the fact of the matter is this is an instrument which has proven itself in the theater of war. Those who have been the most significant advocates for this very, very important airplane have been those who have used it in the theater of war, the United States Marine Corps. This has been used successfully in 14 different deployments, most recently in Iraq and Afghanistan, and has proven itself time and time again; proven itself to have the flexibility to be able to accommodate the new challenge that the Marines are facing in these dramatically challenging circumstances; the functionality to be able to respond quickly to moving troops, not just to insert most effectively in a time fashion but to be also able to get there as quickly as possible, in real-world combat situations that are changing as we speak.

Day and night raids. This is the instrument that the Air Force, Special Forces, and the Marines have identified as among the most important; the instrument that rushes to the front and medevacs the soldiers. I just visited Walter Reed just about a month ago, and the ability to get soldiers who are injured from the front lines back to the United States in time is remarkable. This is one of those instruments that allows them to do it. It's a technology which has been proven, not just in the battlefield but has also been proven by its performance. They have worked out the kinks. They have paid for it. This is the thing that the Marine Corps is asking for that's consistently within the boundaries of the existing defense budget. The soldiers on the front line are asking for the V–22 Osprey because it helps them do their job. We must stand in support of the soldiers who are doing the work defending our Nation most effectively. They are the ones who are proving that it works.

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

AMENDMENT NO. 63 OFFERED BY MR. GUTIERREZ

Mr. GUTIERREZ. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 23, line 12, after the dollar amount, insert ''(reduced by $21,985,000)''.

Page 28, line 20, after the dollar amount, insert ''(reduced by $393,098,000)''.

Page 359, line 6, after the dollar amount, insert ''(increased by $415,083,000)''.

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

Mr. GUTIERREZ. I have already used my 5 minutes prior, so I yield back the balance of my time.

Mr. COFFMAN of Colorado. I move to strike the requisite number of words.

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

□ 1810

Mr. COFFMAN of Colorado. Mr. Chairman, I rise in opposition to the Gutierrez amendment.

The amendment offered by the gentleman from Illinois would do an across-the-board general reduction to the aircraft procurement accounts for the Navy and the Air Force. The total reduction at $405.1 million would be transferred to the spending reduction account.

Let me just say, he spoke to the V–22 aircraft that the United States Marine Corps uses today in Iraq and Afghanistan. Let me tell you, as a former infantry officer in the United States Marine Corps, I can't speak highly enough of the V–22 aircraft.

There is no replacement right now if that aircraft were suspended in service. The CH–46 aircraft was put in the fleet in 1964 and retired in 2004, and the CH–53, I believe, in 1966. These old air frames are retiring. They need to be replaced. The V–22 is an effective aircraft, serving our Marines in the field in places like Afghanistan and Iraq with the kind of effort that our troops deserve.

Mr. Chairman, I yield back.

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

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

Mr. DICKS. The amendment would remove $415 million total from Navy and Air Force procurement accounts. This funding would reduce the number of V–22 Ospreys from the DOD portion of the bill. The Osprey has proven itself under combat conditions to be safe, effective, survivable, and maintainable and is meeting all operational taskings. I have actually flown on the Osprey and I feel it is a very safe airplane. Today, flight-hours are increasing rapidly and will exceed 100,000 flight-hours in the first quarter of calendar year 2011. Forty-six percent of these hours have been flown in the last 2 years.

The first combat deployment was September 2007. From that time to the present, the V–22 has been in the following deployments: three deployments in support of Operation Iraqi Freedom, three deployments in support of Operation Enduring Freedom, and three Marine Expeditionary Unit deployments.

The Marine Corps has procured nearly two-thirds of the required fleet of aircraft, 250 out of a total of 360. The program is currently in the 4th year of a 5-year multiyear procurement, and we only give multiyear procurements on programs that we think are highly stable.

This is a proven aircraft, and I urge rejection of this amendment.

This is an important program, one that the Special Forces are going to use, and I think we have to be very careful. For the Marine Corps, this is one of their essential programs that they have strongly supported for many, many years, and it would be a devastating blow to them not to finish this procurement.

I yield back my time.

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

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

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

Some of our Members have made some very eloquent statements why this is not a good amendment, so I am going to be very brief and just say very simply, this amendment could possibly have a serious adverse effect on the soldiers and the Marines who are operating in and around the mountains of Afghanistan who need what the V–22 can provide them. If it is not available, if it is not there, they could be in serious trouble.

So this is not a good amendment, and I don't think we should support it in any way.

I yield back the balance of my time.

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

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

Mr. QUIGLEY. Mr. Chairman, I rise to support the amendment introduced by my colleague from Illinois (Mr. GUTIERREZ). If we are truly serious about reducing our long-term deficits, we must look at the whole picture, a picture that includes defense. There can be no sacred cows or pork.

Today, defense spending, including security-related programs, comprises almost 20 percent of Federal spending, yet it is the only part of this budget that is exempt from the tough cuts facing all other Departments.

The Osprey is one of the most egregious examples of waste in the defense budget, yet DOD continues to request this costly, ineffective machine. And with due respect, the only threat this amendment poses if it doesn't pass, it could kill our own troops. Even worse, Congress continues to fund it.

The Osprey was originally created to allow Marines to carry troops and cargo faster, higher and farther than a traditional helicopter. Now the Osprey is 186 percent over budget, costs $100 million per unit to produce, it is not suited to fly safely in extreme heat, excessive sand or under fire, and, sadly, this aircraft has killed 30 Marines in accidents.

The Government Accountability Office recommended DOD reconsider procurement of the Osprey, and experts argue a helicopter could achieve many of the objectives of the Osprey at a much lower cost. Let's show our constituents we are serious about cutting the deficit by looking at all parts of the budget. Waste is waste; bloat is bloat. The fact that it comes under the Department of Defense doesn't change anything.

I urge adoption of this amendment because eliminating funding for procurement of a costly, inefficient and over-budget V–22 Osprey will prove to our constituents that we are serious about reducing spending. It will help realign our military strategy to meet today's needs, and it will save the taxpayers $415 million this year alone.

I yield back.

Mr. MORAN. Mr. Chair, I move to strike the requisite number of words.

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

Mr. MORAN. Mr. Chairman, I can understand why our colleagues from Illinois have offered this amendment. Assertions recently surfaced about the inability of the Osprey to operate in hot conditions, high altitudes or from U.S. Navy ships. But the fact is that these charges have been disproven repeatedly in daily operations. The fact is that the Osprey provides unparalleled flexibility for Marines and Air Force Special Forces in combat operations.

We have had 14 fully successful deployments to date. No aircraft in the U.S. inventory has been subjected to as extensive a series of live-fire testing as the V–22. It is the most survivable rotorcraft ever built for the Marine Corps and Air Force. When the enemy has been able to hit the V–22, the aircraft has absorbed the damage and returned to base without injuries to passengers or crew on every single occasion.

Many of the initial readiness challenges stem from deploying the aircraft into combat before a supply chain and depot maintenance infrastructure was adequately in place. The reason it cost more was that the Special Forces felt they needed to bring it into combat operation immediately because it was such a successful rotorcraft. They needed it for the safety and effectiveness of our troops.

The fact is that major studies from both government and industry have shown that the V–22 is more operationally effective and cost efficient than any helicopter alternative. It requires fewer aircraft, fewer personnel and support than conventional rotorcraft. That results in a reduced footprint and, what we all need to be concerned about, particularly in this context, a lower total life-cycle costs.

For that reason, I think that we ought to reject this amendment and enable the Defense Department to choose its own priorities for cost cutting, and certainly Secretary Gates is in the process of doing that.

I yield back.

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

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

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

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

The Clerk will read.

The Clerk read as follows:

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,221,957,000, to remain available for obligation until September 30, 2013.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $790,527,000, to remain available for obligation until September 30, 2013.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, $1,721,969,000;

Carrier Replacement Program (AP), $908,313,000;

NSSN, $3,430,343,000;

NSSN (AP), $1,691,236,000;

CVN Refueling, $1,248,999,000;

CVN Refuelings (AP), $408,037,000;

DDG–1000 Program, $77,512,000;

DDG–51 Destroyer, $2,868,454,000;

DDG–51 Destroyer (AP), $47,984,000;

Littoral Combat Ship, $1,168,984,000;

Littoral Combat Ship (AP), $190,351,000;

LHA–R, $942,837,000;

Joint High Speed Vessel, $180,703,000;

Oceanographic Ships, $88,561,000;

LCAC Service Life Extension Program, $83,035,000;

Service Craft, $13,770,000; and

For outfitting, post delivery, conversions, and first destination transportation, $295,570,000.

In all: $15,366,658,000, to remain available for obligation until September 30, 2015: *Provided*, That additional obligations may be incurred after September 30, 2015, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

(INCLUDING TRANSFER OF FUNDS)

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only, and the purchase of seven vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $250,000 per vehicle; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $5,804,963,000, to remain available for obligation until September 30, 2013: *Provided*, That of the funds made available in this paragraph, $15,000,000 shall be made available to procure equipment, not otherwise provided for, and may be transferred to other procurement accounts available to the Department of the Navy, and that funds so transferred shall be available for the same purposes and the same time period as the account to which transferred.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $1,236,436,000, to remain available for obligation until September 30, 2013.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $13,483,739,000, to remain available for obligation until September 30, 2013: *Provided*, That none of the funds provided in this Act for modification of C–17 aircraft, Global Hawk Unmanned Aerial Vehicle and F–22 aircraft may be obligated until all C–17, Global Hawk and F–22 contracts funded with prior year ''Aircraft Procurement, Air Force'' appropriated funds are definitized unless the Secretary of the Air Force certifies in writing to the congressional defense committees that each such obligation is necessary to meet the needs of a warfighting requirement or prevents increased costs to the taxpayer, and provides the reasons for failing to definitize the prior year contracts along with the prospective contract definitization schedule: *Provided further*, That the Secretary of the Air Force shall expand the current HH–60 Operational Loss Replacement program to meet the approved HH–60 Recapitalization program requirements.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $5,424,764,000, to remain available for obligation until September 30, 2013.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $731,487,000, to remain available for obligation until September 30, 2013.

OTHER PROCUREMENT, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only, and the purchase of two vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $250,000 per vehicle; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $17,568,091,000, to remain available for obligation until September 30, 2013: *Provided*, That of the funds made available in this paragraph, $15,000,000 shall be made available to procure equipment, not otherwise provided for, and may be transferred to other procurement accounts available to the Department of the Air Force, and that funds so transferred shall be available for the same purposes and the same time period as the account to which transferred.

PROCUREMENT, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the

military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $4,009,321,000, to remain available for obligation until September 30, 2013: *Provided,* That of the funds made available in this paragraph, $15,000,000 shall be made available to procure equipment, not otherwise provided for, and may be transferred to other procurement accounts available to the Department of Defense, and that funds so transferred shall be available for the same purposes and the same time period as the account to which transferred.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), $34,346,000, to remain available until expended.

□ 1820

AMENDMENT NO. 86 OFFERED BY MR. POMPEO

Mr. POMPEO. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 32, line 21, after the dollar amount, insert ''(reduced by $3,200,000)''.

Page 33, line 9, after the dollar amount, insert ''(reduced by $36,320,000)''.

Page 33, line 16, after the dollar amount, insert ''(reduced by $40,000,000)''.

Page 33, line 16, after the dollar amount, insert ''(reduced by $4,000,000)''.

Page 34, line 6, after the dollar amount, insert ''(reduced by $32,000,000)''.

Page 359, line 6, after the dollar amount, insert ''(increased by $115,520,000)''.

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

Mr. POMPEO. Mr. Chairman, I rise to amend the Defense appropriations bill by cutting $115 million of additional funding. This $115 million is aimed at alternative energy inside the Defense Department appropriations budget. I will assure you that with the President having advocated in his budget for billions of dollars of alternative energy research, development, and other types of research, that we don't need $115 million of that in our Department of Defense budget.

This funding is wasteful, it's duplicative, and won't help our soldiers. It's in five different parts of the appropriations legislation in small amounts, and this is new money. It's above and beyond that which the President had requested.

We are not underfunding alternative energy research. Just this week, the Rand Corporation came out with a study talking about alternative energy research in the defense budget and they concluded it was not helping our soldiers, our sailors, our airmen, and our fighters.

So I would urge support of this amendment reducing by $115 million the deficit that our Nation faces.

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

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

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment. The Defense Subcommittee has spent much time over the past 2 years looking into the effects of the services—all the services—to reduce their dependence on fossil fuel. The Department of Defense, which consumes 93 percent of all the fuel consumed by the U.S. Government, has made significant strides in reducing its consumption, but the associated logistics of moving fuel for vehicles, aircraft, forward operating bases remain massive and costly. It has also been shown that for every 24 fuel convoys in Afghanistan, an American soldier is wounded or killed.

The Defense Subcommittee has made a conscious and dedicated effort to advance the Department's efforts, searching for better ways to reduce consumption and alleviate the costly and complicated logistics. This amendment, however, would unnecessarily erase that progress and further the Department's dependence on fossil fuels. For this, and many other reasons, I urge a ''no'' vote on this amendment.

Mr. DICKS. Mr. Chairman, I rise in strong opposition to the amendment.

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

Mr. DICKS. The amendment cuts $115.5 million in funding for development of alternative energy. The bill includes funding based in part on the Defense Science Board's February 2008 report on DOD energy strategy. The DSB report made numerous recommendations to improve DOD energy efficiency. In addition, the committee held a formal briefing with officials from the Military Services, the Defense Logistic Agency, and OSD to review energy efficiency and energy technology programs.

DOD is the largest single consumer of energy in the United States. In 2006, it spent $13.6 billion to buy 110 million barrels of petroleum fuel—about 300,000 barrels of oil each day—and 3.8 billion kilowatt hours of electricity. This represents about eight-tenths of 1 percent of total U.S. energy consumption and 78 percent of energy consumption by the Federal Government.

In combat operations such as Iraq and Afghanistan, moving fuel to deployed forces has proven to be a high-risk operation. Reducing operational fuel demand is the single best means to reduce that risk. However, the Defense Science Board concluded that DOD is not currently equipped to make decision on the most effective way to do so.

The DSB recommended increased investment in energy efficient and alternative energy technologies to a level commensurate with their operational and financial value. The Defense Science Board recommended that the Department of Defense invest in basic research to develop new fuel technologies that are too risky for private investments and to partner with private sector fuel users to leverage efforts and share burdens. The bill emphasizes funding these types of initiatives.

I strongly urge rejection of this amendment.

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

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

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

I don't come here to argue that we don't have to make serious cuts and reduce our spending. I'm sure that we do—and we will. But I do find it remarkable that I stood in this place a matter of weeks ago and fought to have a small increase in taxes for millionaires that would have eased the burden that we face today, but the argument was made—and made loudly from my colleagues across the aisle—that we couldn't afford to make millionaires pay more taxes. We were talking about increasing the tax rate on amounts over $250,000 from 36 percent to 39 percent, and we were told that we could not do that.

Yet here we are today and we're talking about cutting low-income heating assistance for families in the Northeast in New England that are suffering from the worst winter in decades. We're talking about cutting WIC for single moms who are trying to raise kids. We're talking about cutting education and funds for kids.

It seems that our priorities are misplaced here. Save the tax cuts for the millionaires but cut everything for people who have nowhere else to turn. It's reverse Robin Hood. We're robbing from the poor to make sure the rich keep their tax cuts. I can't believe it. In that bill not many weeks ago—just a few weeks ago, we actually—I didn't, but those who voted for it did—cut $119 billion out of Social Security, but we kept those tax cuts for those millionaires.

With all due respect to my colleagues on the other side of the aisle from the tea party, I actually represent the city of Boston, the port of Boston. When you visit the Tea Party Memorial, that's in my district. Just for the record, I want to make sure people understand when the colonists at the tea party revolted, they threw the tea overboard. They didn't throw senior citizens overboard. They didn't throw kids overboard. They didn't throw young mothers on WIC overboard. We have a challenge before us about where our priorities are going to be going forward.

I'm proud to say that I grew up in the housing projects in south Boston. I'm not ashamed to say that we struggled

as a family when I was a kid. I'm too old to be a WIC baby; but if they had had it, I'm sure my family would have been on it. As my dad used to say, there were times in our family where we had to save up to be poor.

□ 1830

But we have a moral obligation here to get our priorities right. I hope that at some point in this process that ideology is set aside and that we really do tackle in a fair way the problems that this country faces. I've been here long enough to understand that fairness does not always carry the day in these debates.

Then you see the cuts to people who have nowhere else to turn. You see cuts to Social Security. There was $119 billion cut out of Social Security several weeks ago, and we diverted that out. I'm sure at some point we're going to hear that it's unsustainable, that Social Security is unsustainable, because we cut $119 billion out of it; but we've got seniors in this country who have nowhere else to turn. They're on fixed incomes.

We cut Social Security rather than ask millionaires to give a little bit more. I think that is not consistent with what this country is all about. I hope at some point that common sense and mutual interests on behalf of what's really important in this country do prevail in this Chamber, that ideology, both far right and far left, is tossed aside, and that we can actually get down to the business of moving this country forward.

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

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

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

Mr. BLUMENAUER. I rise in opposition to the amendment. I strongly support the comments from the gentlemen from New Jersey and the State of Washington. In fact, they understated the case.

Mr. Chairman, the United States Department of Defense is the largest consumer of energy in the world. These, I think, ill-advised efforts to undercut important research areas have significant implications, first and foremost, for the operational activities of the Department of Defense. The Iraq war was four times more energy intense than the first gulf war given what has happened in terms of changing tactics; and, frankly, the danger to our troops was understated. Those tankers might as well have great big bull's-eyes painted on them because they were targets for terrorists, and they put our soldiers at risk; and all of us represent States that lost people because of that vulnerability. It costs over $100 a gallon to deliver this fuel to the front.

I seriously hope that people take a deep breath and listen to the counsel of the people from the committee. This is a long-term threat to our men and women in the field. It is also a long-term threat to the budget of the Department of Defense. If you plot what their energy costs have been over time, it probably rivals only the cost of health care for our troops.

I would hope that we understand the opportunities here. As my friend from the State of Washington pointed out, it is research that isn't going to happen from the private sector. This is the sort of investment that government needs to make up front. It's the same thing that led to the development of the Internet.

It will have important economic benefits going forward because this will not be exclusively the province of the Department of Defense. The extent to which these technologies work and can be brought to scale, they will be developed by private companies. It will make a difference as to how we as Americans live, because, after all, we as a country waste more energy than anybody in the world.

This is a very serious point. I deeply appreciate the wise counsel of the committee leadership, and I strongly urge that this amendment be rejected.

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

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

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

Mr. BARTLETT. Last week, there was WikiLeaks activity that pointed out a huge problem that we in the world face. WikiLeaks released some confidential emails that indicated that the Saudis had only 60 percent of the oil that they had advertised they had. I think this is probably true of most of the OPEC countries that were incentivized to exaggerate their oil reserves when they were permitted to pump a percentage of the oil reserves.

Mr. Chairman, there is almost nobody now who doesn't agree that the world reached its maximum production of conventional oil in 2006. We've been stuck now for about 5 years at 84, 85 million barrels a day of oil. Increasingly, the difference between conventional oils, which are now falling off in production, and that 84, 85 million barrels a day is that it is made up by unconventional oil, like the heavy sour of Venezuela and the tar sands of Alberta, Canada.

Our military has been very wisely pursuing a goal that the rest of us should have been involved in. Maybe they read Hyman Rickover's speech from 1957 where he noted that, in the 8,000-year recorded history of man, the age of oil would be but a blip. He didn't know then how long it would last, but he said how long it lasted was important in only one regard—the longer it lasted, the more time we would have to plan an orderly transition to other sources of energy.

Of course we have done none of that in spite of the fact that we have known for 31 years with absolute certainty that we were going to get here today, because by 1980, we were already 10 years down the other side of Hubbert's peak as predicted by M. King Hubbert in 1956.

The military has been attuned to this problem much more than any other part of our society, and they have been very wisely pursuing alternative fuels because, as we wind down on the available fossil fuels, the world will ultimately, of course, move to alternative fuels. The military has several reasons for doing this. It is a very aggressive program, a very wise program; and I think that it would just be tragic if we were to eliminate the funds for this.

They increasingly need to move to alternatives for all of those reasons; and the rest of us need to move to alternatives for an additional reason, that they now are moving to alternatives that they can produce on site to reduce the long supply trails that create so many casualties over there.

They ought to have been doing this earlier. I am delighted they're doing it now, and I think it would be a national security tragedy if we were to deny them the funds to continue doing this.

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

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

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

Ms. WOOLSEY. Mr. Chairman, I rise to speak in support of the amendment before this one, Congressman GUTIERREZ's amendment, to reduce funding for the V–22 Osprey.

This program has been highly troubled since its inception. In fact, it was almost canceled several times. As my friend Mr. GUTIERREZ noted, former Defense Secretary Cheney actually called for its cancellation several times. During its testing, the V–22 killed 30 people; and in April 2010, a V–22 crashed in Afghanistan, killing four more people. The GAO has noted that this plane has trouble flying over 8,000 feet or in extreme heat.

You know what? There's more.

This plane has a problem carrying troops, transporting cargo, and operating off naval vessels. No wonder the Pentagon wants to cancel the program in its entirety.

Mr. DICKS. Will the gentlewoman yield?

Ms. WOOLSEY. I yield to the gentleman from Washington.

Mr. DICKS. The Pentagon does not want to kill this program. I just want to make sure that you understand that, because this is one of the highest priorities for the Marine Corps, the Air Force and Special Operations. Most of the problems you're talking about have been taken care of.

Ms. WOOLSEY. All right. Thank you, Mr. Chairman. That is my understanding of what the Pentagon wanted to do, but I yield to your wisdom.

I do believe that canceling the V–22 and saving $10 billion to $12 billion over 10 years would be real fiscal savings.

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

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

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

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

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

□ 1840

ANNOUNCEMENT BY THE ACTING CHAIR

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

Amendment No. 370 by Mr. FLAKE of Arizona.

Amendment No. 87 by Mr. POMPEO of Kansas.

Amendment No. 63 by Mr. GUTIERREZ of Illinois.

Amendment No. 86 by Mr. POMPEO of Kansas.

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

AMENDMENT NO. 370 OFFERED BY MR. FLAKE

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 207, noes 223, not voting 3, as follows:

[Roll No. 41]

AYES—207

Alexander
Amash
Baca
Bachmann
Baldwin
Barton (TX)
Bass (CA)
Bass (NH)
Berkley
Berman
Bishop (NY)
Blackburn
Bono Mack
Boswell
Boustany
Brady (TX)
Braley (IA)
Broun (GA)
Burgess
Campbell
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Coble
Cohen
Cooper
Costa
Crowley
Cummings
Davis (IL)
DeFazio
DeLauro
Dent
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Duffy
Duncan (TN)
Ellison
Ellmers
Engel
Eshoo
Fattah
Filner
Fitzpatrick
Flake
Flores
Fortenberry
Frank (MA)
Franks (AZ)
Garrett
Gibson
Gohmert
Goodlatte
Graves (GA)
Griffith (VA)
Grijalva
Guinta
Gutierrez
Hanna
Harman
Harris
Hayworth
Heinrich
Heller
Hensarling
Herger
Herrera Beutler
Himes
Hirono
Holt
Honda
Huelskamp
Huizenga (MI)
Hurt
Inslee
Jackson Lee (TX)
Jenkins
Johnson (IL)
Jones
Kaptur
Keating
Kind
Kucinich
Labrador
Landry
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Markey
Matheson
Matsui
McClintock
McCollum
McDermott
McGovern
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Mulvaney
Murphy (CT)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Olver
Pallone
Pastor (AZ)
Paul
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Quayle
Quigley
Rahall
Rangel
Rehberg
Reichert
Richardson
Rogers (MI)
Rohrabacher
Rokita
Ross (AR)
Roybal-Allard
Royce
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Serrano
Shimkus
Shuler
Smith (NE)
Speier
Stark
Stearns
Stutzman
Sutton
Terry
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Walberg
Walsh (IL)
Waxman
Weiner
Welch
Wilson (FL)
Woodall
Woolsey
Wu
Yarmuth
Yoder
Young (AK)

NOES—223

Ackerman
Adams
Aderholt
Akin
Altmire
Andrews
Austria
Bachus
Barletta
Barrow
Bartlett
Becerra
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blumenauer
Bonner
Boren
Brady (PA)
Brooks
Brown (FL)
Buchanan
Bucshon
Buerkle
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cleaver
Clyburn
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (CA)
Davis (KY)
DeGette
Denham
DesJarlais
Deutch
Diaz-Balart
Dicks
Dreier
Duncan (SC)
Edwards
Emerson
Farenthold
Farr
Fincher
Fleischmann
Fleming
Forbes
Foxx
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gingrey (GA)
Gonzalez
Gosar
Gowdy
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grimm
Guthrie
Hall
Hanabusa
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Heck
Higgins
Hinchey
Hinojosa
Holden
Hoyer
Hultgren
Hunter
Israel
Issa
Jackson (IL)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Maloney
Marchant
Marino
McCarthy (CA)
McCarthy (NY)
McCaul
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Miller (NC)
Moran
Murphy (PA)
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Posey
Price (GA)
Price (NC)
Reed
Renacci
Reyes
Ribble
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Rothman (NJ)
Runyan
Ruppersberger
Rush
Scalise
Schiff
Schilling
Schmidt
Schock
Schwartz
Scott (VA)
Scott, David
Sessions
Sewell
Sherman
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stivers
Sullivan
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Watt
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Young (FL)
Young (IN)

NOT VOTING—3

Giffords
Lewis (GA)
Waters

□ 1908

Messrs. GRIFFIN of Arkansas, ROTHMAN of New Jersey, GOSAR, Mrs. NOEM, Messrs. ROGERS of Alabama, ALTMIRE, OLSON, Ms. EDWARDS, Messrs. LATHAM, BECERRA and HINOJOSA changed their vote from ''aye'' to ''no.''

Messrs. CLARKE of Michigan, CARDOZA, ROSS of Arkansas, TIERNEY, NEAL, ROGERS of Michigan, ALEXANDER, COHEN, LANDRY, FATTAH, INSLEE, CASSIDY, Ms. TSONGAS, Ms. LORETTA SANCHEZ of California, Ms. RICHARDSON, Mrs. BACHMANN, Mrs. MILLER of Michigan, Mr. RYAN of Ohio, Mr. THOMPSON of California, Ms. MATSUI, Ms. SUTTON, Messrs. ENGEL, FORTENBERRY, MILLER of Florida, Ms. SPEIER, Ms. DELAURO, Messrs. ELLISON, MURPHY of Connecticut and ROKITA changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 87 OFFERED BY MR. POMPEO

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 72, noes 358, not voting 3, as follows:

[Roll No. 42]

AYES—72

Alexander
Amash
Bass (NH)
Blackburn
Broun (GA)
Burgess
Burton (IN)
Campbell
Cassidy
Chabot
Coble
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Fitzpatrick
Flake
Frank (MA)
Gardner
Garrett

Gibson
Goodlatte
Gowdy
Graves (GA)
Griffith (VA)
Heller
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)
Hurt
Jenkins
Johnson (IL)
Labrador
Lummis
Mack
Marchant
McCaul
McClintock
McKinley
Miller (FL)
Miller (MI)
Mulvaney
Myrick
Neugebauer
Paul
Pence
Petri
Pitts
Pompeo
Quayle
Rehberg
Ribble
Royce
Ryan (WI)
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (NE)
Stearns
Stutzman
Upton
Walsh (IL)
Westmoreland
Whitfield
Woodall
Yoder
Young (IN)

NOES—358

Ackerman
Adams
Aderholt
Akin
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Bucshon
Buerkle
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
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
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Gosar
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harman
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herger
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Hultgren
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Poe (TX)
Polis
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Scott (SC)
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walz (MN)
Wasserman Schultz
Watt
Waxman
Webster
Weiner
Welch
West
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—3

Giffords
Lewis (GA)
Waters

□ 1913

Messrs. LYNCH and WEINER changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 63 OFFERED BY MR. GUTIERREZ

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. GUTIERREZ) 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 105, noes 326, not voting 2, as follows:

[Roll No. 43]

AYES—105

Amash
Baldwin
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Blumenauer
Bono Mack
Boswell
Braley (IA)
Campbell
Capuano
Cardoza
Castor (FL)
Chabot
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Coble
Cohen
Conyers
Cooper
Costa
Deutch
Dingell
Duncan (TN)
Edwards
Ellison
Eshoo
Farr
Filner
Frank (MA)
Fudge
Garamendi
Grijalva
Gutierrez
Heller
Hinchey
Hirono
Holt
Honda
Jackson (IL)
Keating
Kildee
Kind
Kucinich
Lee (CA)
Lofgren, Zoe
Lummis
Lynch
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
Michaud
Miller, George
Moore
Myrick
Nadler
Neal
Olver
Pallone
Paul
Payne
Perlmutter
Peters
Petri
Pingree (ME)
Polis
Quigley
Rahall
Rangel
Richmond
Rohrabacher
Roybal-Allard
Royce
Sánchez, Linda T.
Sarbanes
Schakowsky
Schrader
Sensenbrenner
Serrano
Slaughter
Speier
Stark
Thompson (CA)
Tierney
Towns
Upton
Velázquez
Walden
Walz (MN)
Waters
Watt
Waxman
Weiner
Welch
Woolsey
Wu
Yarmuth

NOES—326

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Boren
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Chaffetz
Chandler
Cicilline
Clyburn
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Engel
Farenthold
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harman
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Napolitano
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson

Owens
Palazzo
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Scalise
Schiff
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Tsongas
Turner
Van Hollen
Visclosky
Walberg
Walsh (IL)
Wasserman Schultz
Webster
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—2

Giffords
Lewis (GA)

□ 1918

Ms. LORETTA SANCHEZ of California changed her vote from ''aye'' to ''no.''

Messrs. CLEAVER, RICHMOND, and DEUTCH changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 86 OFFERED BY MR. POMPEO

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 109, noes 320, not voting 4, as follows:

[Roll No. 44]

AYES—109

Adams
Altmire
Amash
Bachus
Barton (TX)
Benishek
Bishop (UT)
Blackburn
Bono Mack
Boustany
Brady (TX)
Broun (GA)
Bucshon
Burgess
Burton (IN)
Camp
Campbell
Cassidy
Chabot
Chaffetz
Coble
Conaway
Costello
Dent
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Flake
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Graves (GA)
Griffith (VA)
Guinta
Hall
Harris
Hayworth
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hurt
Jenkins
Johnson (IL)
Johnson (OH)
Jones
Jordan
Labrador
Landry
Lankford
Lummis
Mack
Manzullo
McClintock
McKinley
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (CT)
Myrick
Neugebauer
Nugent
Nunes
Olson
Paul
Pence
Peters
Pitts
Platts
Poe (TX)
Pompeo
Posey
Quayle
Reed
Renacci
Ribble
Rokita
Royce
Ryan (WI)
Scalise
Schakowsky
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Smith (NE)
Southerland
Stearns
Stutzman
Tipton
Upton
Walberg
Walden
Walsh (IL)
Webster
Whitfield
Wilson (SC)
Woodall
Yoder
Young (AK)
Young (IN)

NOES—320

Ackerman
Aderholt
Akin
Alexander
Andrews
Austria
Baca
Bachmann
Baldwin
Barletta
Barrow
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Black
Blumenauer
Bonner
Boren
Boswell
Brady (PA)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Buerkle
Butterfield
Calvert
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gonzalez
Gosar
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guthrie
Gutierrez
Hanabusa
Hanna
Harman
Harper
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Lofgren, Zoe
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Lungren, Daniel E.
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McCarthy (CA)
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McKeon
McMorris Rodgers
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Miller, George
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Ros-Lehtinen
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Ross (AR)
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Rothman (NJ)
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Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
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Scott (VA)
Scott, David
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Wilson (FL)
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Wu
Yarmuth
Young (FL)

NOT VOTING—4

Giffords
King (IA)
Lewis (GA)
Welch

□ 1924

Mrs. MCMORRIS RODGERS changed her vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. FLEISCHMANN) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 514. An act to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and Intelligence Reform and Terrorism Prevention Act of 2004 relating to access to business records, individual terrorists as agents of foreign powers, and roving wiretaps until December 8, 2011.

The SPEAKER pro tempore. The Committee will resume its sitting.

FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2011

The Committee resumed its sitting.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $9,710,998,000, to remain available for obligation until September 30, 2012.

AMENDMENT NO. 162 OFFERED BY MR. QUIGLEY

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 33, line 9, after the dollar amount, insert ''(reduced by $971,099,800)''.

Page 33, line 16, after the dollar amount, insert ''(reduced by $1,796,130,300)''.

Page 34, line 6, after the dollar amount, insert ''(reduced by $2,674, 240,500)''.

Page 34, line 17, after the dollar amount, insert ''(reduced by $2,079,741,200)''.

Page 359, line 6, after the dollar amount, insert ''(increased by $7,521,211,800)''.

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

Mr. QUIGLEY. Mr. Chairman, my amendment would reduce research and development spending at the Department of Defense by 10 percent. First inclination, we all know research and development is a good thing, but not when it begets wasteful spending. The continuing resolution before us makes deep cuts in non-defense discretionary spending. If we are truly serious about reducing our long-term deficits, we must look at the whole picture—and that picture includes defense.

Non-defense discretionary comprises approximately 15 percent of Federal spending. Meanwhile, defense spending comprises 20 percent of Federal spending. We cannot ignore one-fifth of the budget. As Admiral Mike Mullen, Chairman of the Joint Chiefs of Staff has said, ''Our national debt is our biggest national security threat.''

My amendment would cut a modest 10 percent from the Department of Defense's research and development budget. DOD's R&D spending has experienced more spending growth since 2001 than any other major DOD appropriation category. DOD's research, development, testing and evaluation budget has increased 63 percent over the last 10 years, rising from $49.2 billion in FY 2001 to $80.2 billion in FY 2010. This is 33 percent more than the Cold War peak in real terms, even though today we face no traditional adversary comparable to the Soviet Union. Further, in FY 2009, R&D spending exceeded China's entire defense budget, the world's second largest, by $10.5 billion.

Surely as we look for places to balance the budget and in light of the vast superiority of our R&D budget, we can afford to reduce spending by 10 percent.

□ 1930

A number of fiscal commissions and watchdog groups agree that DOD research and development should be cut and proposed a number of proposals to reduce this development. The Sustainable Defense Task Force, a panel of defense experts from across the political spectrum, recently recommended requiring DOD to set its priorities and reduce R&D spending by $5 billion per year over 10 years. Additionally, the Cato Institute and the Task Force for a Unified Security Budget agree research and development could be significantly improved without harming security in order to achieve savings.

The Fiscal Commission and the Bipartisan Policy Center have also put forward proposals to reduce research and development costs. The Fiscal Commission proposes reducing DOD's R&D budget by 10 percent, for a savings of $7 billion in 2015. They pointed out this reduction would leave DOD at a level above the peak of the Reagan years in real dollars.

The Fiscal Commission cites several ongoing projects that could be reduced or even canceled in order to reduce R&D costs. These programs include the Marine Corps version of the F–35, which has been put on a 2-year probation period by Secretary Gates for continued technical problems, cost overruns, and delays.

The Bipartisan Policy Center offers a similar plan, calling for reduced funding of R&D proportional to the reduction size of forces, or 18.5 percent. Reduction in R&D would be possible, argues the Bipartisan Policy Center, as we withdraw from Iraq and Afghanistan and reduce our forces abroad. Such a reduction in R&D will impose greater discipline in research investments while continuing to budget significantly more resources than any other country's R&D. A cut in our defense R&D is also enabled by new security threats we face.

Secretary Gates has called for a reorientation of our national security strategy, with a greater focus on counterinsurgency warfare rather than traditional warfare. This reorientation calls for investment in intelligence gathering, devices to sense improvised explosive devices, and investments in lower cost machines such as drones, and will allow us to move away from the more expensive development of major weapons systems.

We must reduce our deficit and we must reduce our spending, but in doing so we must put everything on the table and cut anywhere where waste exists.

Mr. Chairman, there is a universe of thought that less government is best and that government can do almost nothing right. That thought ends at the Department of Defense. There are those who believe they can do no wrong. They have the Department of Defense blinders on, which blind them from the fact that if we are going to make these cuts and we are going to face the very real threats that this debt and deficits will create for us, we have to cut across all lines.

I yield back.

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

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

Mr. YOUNG of Florida. I would say to the House, in the $14.8 billion that the subcommittee recommended which is in this bill, a reduction in the defense budget, a very large amount of that was reducing the research and development program. But you can't reduce research and development too much.

I don't care what the best weapons system you have is or that you are planning on having or that you have in the process, in the conceptual stage even. It never gets to where the soldier and the sailor and the airman and the marine needs it without research and development that makes it possible and feasible to build it and deploy it.

We have already cut a substantial amount out of R&D. We can't put a soldier on the battlefield, and if his system that he is working with doesn't work, we can't recall it like you can an automobile or a medicine or pill or something like that. It has got to work. I don't want to see an American trooper on the front line, whether he is on the ground, whether he is in the air, whether he is on the sea, whether he is under the sea, that has a failed system because we failed to properly research it during the development stage.

So I understand that there are some who would cut defense just to cut defense. If you are going to reduce the defense budget, there ought to be a good reason. There is not a good reason for reducing this account. We have already reduced the Defense Department $14.8 billion, and I just hope that nobody is tempted to vote for this just because it is a cut.

I yield back.

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

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

Mr. MORAN. Mr. Chairman, similar to the Small Business Innovation Research, this is actually one of the very most important things we can be doing within the defense budget, not just for national security, but equally for our national economy.

This is the line item that funded the Internet. The whole concept of the Internet came from DARPA, the Defense Advanced Research Projects Agency, which is funded in this category of the defense budget RDT&E, Research, Development, Testing, and Evaluation. Imagine what the Internet has meant to the American economy, let alone the world. Look what just happened in Egypt, ultimately because of the Internet.

The GPS system that we have in our vehicles, we take it for granted now. Where did it come from? The RDT&E account in the Defense Department. This is what we want to cut out? We can't afford to.

The unmanned aerial vehicles, the drones, the most effective warfighting weapon we have right now, a weapon that doesn't put our soldiers' lives at risk but is maximally effective at targeting the enemy, RDT&E. Defense research.

Precision targeting was a result of research innovation within this account. That is what gives us our cutting edge. That is why we have the most effective defense capability in the world. But it is also one of the reasons

why we have the strongest economy in the world. There is no other area of research that means as much to this economy, and, frankly, it means a great deal to the entire world's economy.

The National Institutes of Health, we do wonderful research there, but, notwithstanding the lives we save, the spinoff to the private sector is not as extensive as the spinoff from the research we do within the Defense Department.

I guess it is a good thing we get these amendments because it gives us an opportunity to explain to the American people, particularly the taxpayer, what they are getting for their money, where these ideas come from. Many of them come from the Defense Department, and it is because of the investment we have made in research, development, testing, and evaluation.

So I obviously would urge rejection of this amendment.

I yield back my time.

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

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $17,961,303,000, to remain available for obligation until September 30, 2012: *Provided,* That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique operational requirements of the Special Operations Forces: *Provided further,* That funds appropriated in this paragraph shall be available for the Cobra Judy program.

AMENDMENT NO. 2 OFFERED BY MR. ROONEY

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 33, line 16, after the dollar amount, insert ''(reduced by $225,000,000)''.

Page 34, line 6, after the dollar amount, insert ''(reduced by $225,000,000)''.

Page 359, line 6, after the dollar amount, insert ''(increased by $450,000,000)''.

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

Mr. ROONEY. Mr. Chairman, I rise today in support of my amendment striking funding for an extra engine for the F–35 fighter jet to immediately save the American taxpayers $450 million. It is dubious why Congress continues to fund a program that the Air Force, the Navy, the Marine Corps, and the Department of Defense adamantly state they do not want. Just today, Defense Secretary Robert Gates called the program ''an unnecessary and extravagant expense'' and stated that this money is needed for higher priority defense efforts.

□ 1940

As we decide which cuts to make in our defense, ones that won't hurt our troops today, this should be at the top of the list. Mr. Chairman, the American people sent us here to change the way that Washington works. This amendment is a perfect opportunity to show your constituents that business as usual in Washington is over. I urge my colleagues to follow through with their promises, to listen to the voters as to why they sent us here, and to vote to strike the funding for this expensive and unnecessary program.

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

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

Mr. BARTLETT. During the debate to strike funding for the F–35 competitive engine you're likely to hear many statements that just don't square with the facts in the program. Just today, I have heard that it has been stated that the primary engine for the F–35 aircraft has, in one case, 200,000 flight test hours; another statement said 20,000 test hours. The reality is the F–35 primary engine has, as of the end of 2010, just 680 flight test hours and has 90 percent of its flight testing to go.

You're also likely to hear that there are almost 30 U.S. military aircraft that operate with a sole source engine. That's interesting. The F–35 aircraft is a single engine aircraft. No fighter aircraft engine has ever been required to do what the F–35 engine is required to do—provide powered flight and also power a lift fan for the short takeoff and vertical-landing F–35B. In fact, this challenging act of physics has just resulted in the F–35B being put on ''probation'' by the Secretary of Defense, requiring redesign of the F–35B unique engine components. The current estimate to complete development of the F135 primary engine has been extended several years and the estimated cost to complete the development program is 450 percent above the February, 2008, estimated completion cost.

In fact, only two U.S. operational aircraft are single engine aircraft—the Air Force F–16 and the Marine Corps AV–8B. The F–35 is scheduled to replace those aircraft and will not be operational until at least 2016. The F–16 was the first aircraft to use an alternate engine, beginning in the mid-1980s, and still does so today. Accident rates have trended from 14 mishaps per 100,000 flight hours in 1980 with the Pratt & Whitney engine, when the alternate engine program was first funded, to less than just 2 mishaps per 100,000 flight hours in 2009 for both the Pratt & Whitney and the GE engines. A review of the AV–8B accident data last year indicated an accident rate six times that of the other Navy fighter aircraft, the F–18, and over 3½ times the rate of the F–16. The AV–8B will be replaced by F–35B. So while the alternative engine F–16 has benefited from competition, with an accident rate having declined by a factor of seven, the AV–8B has an accident rate 3½ times that of the F–16.

Some will cite that the F136—that's the competitive engine—will require $2.9 billion over 6 years to make it competition ready. It's interesting to note that the cost increase in the contract for the current primary engine, the F–35, is $3.4 billion, and that does not include other government costs, independent research and development, and component improvement program funding. The entire remaining development of the F–35 competitive engine could have been funded with the overrun to date in the F–35 primary engine. Further, the GAO has found that key assumptions in the cost to go for the F–35 competitive engine were unnecessarily pessimistic based on historic experience with the original alternate engine program.

One of our colleagues has said that the F–35 primary engine is ''5 to 7 years ahead of the F136 alternate engine in development.'' This is not the case at all. First, the acquisition strategy for the F–35 competitive engine called for it to begin 4 years after the primary engine. The Pentagon told us last April that the competitive engine was only 2 to 3 months behind schedule of the original plan. At the same time the Pentagon notified the committee that the F135 primary engine was 24 months behind the schedule set in the original October, 2001, contract. In other words, had both engines begun at the same time, the alternative engine would now be almost 2 years ahead of the primary engine.

I don't know why there's such confusion over the facts related to this issue. Our committee has followed this issue for over 15 years, and we ask you to support the F–35 competitive engine program as an important element to controlling F–35 program costs and future force readiness. The GAO has looked at the competitive engine programs. They have noted that historically the competitive engine always does two things: it makes the engines cheaper and it makes them better. Notice the accident rate that I noted earlier.

Furthermore, this new aircraft is supposed to be ultimately 95 percent of all of the aircraft in all of our services. Can you imagine what would happen if there was a problem with the engine and we had to stand down. We would have essentially no fighter aircraft in any of our services. It is essential we continue with the alternative engine—and I hope not just to continue its development, to make the primary engine better and cheaper, but to provide a second engine for duplication.

I yield back the balance of my time.

Mr. COFFMAN of Colorado. Mr. Chairman, I move to strike the last word.

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

Mr. COFFMAN of Colorado. Mr. Chairman, it is time to end the Joint

Strike Fighter second engine mistake. In 2001, the GE engine lost in procurement competition to the one designed by Pratt & Whitney. A sole source development contract was signed in 2005. But since 1997, Congress has provided for a Joint Strike Fighter alternative engine program. This continuing resolution includes $450 million for the alternate engine in the Joint Strike Fighter.

According to the Pentagon, the second engine's cost is close to $2.9 billion. The Department of Defense is clear: in their view, our military and the taxpayers are best served by not pursuing a second engine. There are more pressing Department of Defense priorities. There is just no guarantee that having two engines will create enough long-term savings to outweigh the near-term costs of nearly $3 billion.

The risk from a single engine is reasonable and consistent with past acquisitions. A single engine is not a new approach and does not create dangerous levels of risk. We currently have two current aircraft programs, the F–22 and the F–18, which both utilize a single engine provider. Additional costs and the burden of maintaining two logistical systems are not offset by the potential savings generated through competition.

We are not making procurement decisions in a vacuum. If we had all the money in the world, maybe an alternate engine would be a good idea. But we don't. We have a deficit of $1.5 trillion and a debt of $14 trillion, and all our funding choices must—must—acknowledge that.

I urge support for the Rooney amendment.

I yield back the balance of my time.

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

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

Mr. MORAN. Mr. Chairman, I can understand that there are a lot of jobs at stake, there's politics, there's regional economies, and so on, to be considered in this issue. I don't particularly have a dog in the hunt, but I'd like to share with you why I disagree with the amendment, why I think it's in the national interest to have an alternative engine.

The experience that we had in the 1980s with the F–16 engine, it seems to me, should inform this debate. We had a sole source contract, basically; with the same manufacturer to build a single engine for the F–16. It was way over budget and outside of—any reasonable production schedule. Production was substantially delayed. And we had little leverage until we brought in an alternative contractor. We brought in competition. All of a sudden we got right on schedule and on budget.

I think this situation is analogous. We're talking about a $100 billion contract for the principal jet fighter we're going to have for the next generation. And we have one engine manufacturer that we're going to be reliant upon. It's also going to be one of our most substantial exports to other militaries around the world. It's going to be a very substantial source of jobs and revenue, and in fact, I have to say, military dominance.

□ 1950

What we are talking about is having competition to ensure that we get the best bang for the buck for the taxpayers. In fact, the Government Accountability Office has estimated, over the long run, we will save money through this competition. That's why the majorities of the Armed Services Committee and the Defense Appropriations Committee have decided, after a great deal of deliberation, that we need competition in this program.

If it were not such a major program, if it were not so expensive—a $100 billion sole-source contract—maybe it wouldn't have mattered, but it was basically the consensus of the authorizing and appropriations committees that we should look to two manufacturers to compete against each other and to give the American taxpayer the greatest bang for the buck in producing the most effective and most efficient jet fighter in the world.

I think we all agree that we believe in the principle of competition. When you have monopoly control—invariably, you slack off a little bit. It's okay to bump your numbers up a little bit, perhaps. But when you have to compete with somebody else, you're always looking at the bottom line, always wanting a higher quality, a less expensive product. That's what this debate is all about. It's about a basic fundamental principle of the American economy—competition. For that reason, I would oppose the amendment.

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

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

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

Mr. AKIN. Mr. Chairman, this is a debate and a discussion that has been going on for some period of time. As has been noted before, there are many of us who serve on the Armed Services Committee who have a little different view than does the Pentagon on this subject.

So what are the benefits of the second engine? Several of those have been mentioned.

First of all, it is the sense of security. You've got basically an aircraft now that is going to be serving the Marine Corps, the Navy, and the Air Force. All of our services will be dependent on this one aircraft, which is the Joint Strike Fighter. That particular Joint Strike Fighter has one engine. Obviously, if you want it to work well, the engine has to run right.

The Armed Services Committees have taken a look at this, and those with a few more whiskers here understand the problem that came along on the F–16, where we had an engine manufacturer that couldn't get the engine done, and the whole airframe was at risk. In this case, you have the airframe for the Marine Corps, the Navy, and the Air Force, so this Congress wisely decided that we're going to have two engines.

First of all, from a security point of view, what this allows us to do is to make sure that we have an engine that is on time and on delivery. Certainly, the competition is another good point. You save a lot of money. If you've got two different contractors bidding against each other, we're going to get a good price on the engines, and that's going to be important, particularly year in and year out.

Now, there are a couple of other things that have not been mentioned that I've heard this evening. One of them is that the second engine also has 10 to 15 percent more thrust. What does that mean?

Well, it's interesting. If you happen to be a Marine Corps guy, the marine version of this is called a STOVL. It has to take off from just sitting on a deck, and it takes off straight up. That takes a lot of thrust. The first engine is absolutely maxed out, and what we see over time is we want to put more stuff in our airplanes. When you do that, it gets heavier, and you need more thrust. The second engine offers that 10 to 15 percent more thrust.

I don't know if there is a financial consideration to define what that is worth, but that extra 10 or 15 percent could make the difference of a stable aircraft that could carry some particular additional piece of equipment that we may need in the future.

The other point that I've not heard made and is actually kind of new to us is that these engines are big suckers. They are very, very big turbines, and they have a tremendous amount of power that they're generating.

Now, if we've got this one turbine that works for the Marine Corps, for the Navy and the Air Force, what would happen if we were to use that turbine in other applications? You'd get all the more benefit of having fewer parts and having interchangeability. These engines are bolt-for-bolt interchangeable.

So what happens when we start to look at the design for a future deep strike bomber? One of the questions on that will be: How many engines do you need? Is it going to be a four-engine bomber or a two-engine? Four is a lot more expensive.

What happens if you could get the power of two engines into one and make it a two-engine bomber and use the same engines that are going into JSFs? So now you've got a universal engine working for a number of platforms. There is a whole lot of simplicity and cost savings for that type of thing.

If we're going to put our eggs in one basket, we want to make sure we've

got at least two people and that we have the competition, the capability of using this engine in other ways, and the additional thrust for the second engine.

I would recommend a ''no'' vote on this amendment.

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

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

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCINTYRE. Mr. Chairman, as a ranking subcommittee member of the House Armed Services Committee and as a strong supporter of the Joint Strike Fighter Competitive Engine Program, I rise today in opposition to this amendment for three basic reasons.

First, the competitive engine program will save billions in taxpayer dollars. Second, it will create thousands of jobs. Third, it is imperative to our national security. I think all three of these are issues that all of us share a bipartisan concern about.

I am pleased, in fact, to join both the Armed Services Committee chairman and the ranking member of the full committee as well as many of my colleagues from both sides of the aisle, Democratic and Republican, in supporting this competitive program for the alternative engine.

First, contrary to what you may have heard, the competitive engine program is about saving billions of dollars in taxpayer money. Competition does drive down costs, it does raise quality, and ensures responsiveness from the manufacturers.

With the JSF program being the largest defense program in our Nation's history, we have to make sure that we have that competition to get the best quality and the lowest price. Striking funding for a competitive engine will give a 30-year $100 billion monopoly to a sole contractor. Funding the F136 engine, however, will allow two companies to compete head to head, resulting in the best price and the best engine. In fact, GAO studies have indicated that competition from the F136 engine will actually save taxpayers $21 billion over the life of the Joint Strike Fighter program.

Second, the competitive engine program is about saving jobs. Currently, there are 2,500 U.S. jobs supporting the development of the alternative engine. Once full production occurs, the number will rise to 4,000.

Third, the competitive engine program is about national security. Without a competitive engine, U.S. and allied forces will be dependent entirely upon one engine for 90 percent of our fighter jet fleets. One small problem could ground the entire fleet, which is something that none of us would want.

This program is not about favoring one particular contractor over another. It is about having strong bipartisan support for competition, for creating jobs, for national security, and for saving taxpayer money. In fact, this was demonstrated when this was voted on last year when we had 116 Republicans and 115 Democrats—that's about as even as you can get—vote for the funding of the alternative competitive program.

For these reasons, I strongly oppose this amendment and rise in support of saving $21 billion in taxpayer money, of creating jobs, and of ensuring our national security through the alternative engine competitive program.

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

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

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

Mr. HUNTER. Mr. Chairman, I stand in opposition to this amendment for a few reasons, not any as eloquent as the ones that have already been stated but for some fairly simple reasons, I think.

Number one, what if one of us here, one of us Members, a Congressman, earmarked a $100 billion project today? If it were one of us who did this, who said that we're going to give this one job worth $100 billion to one company, I think there would be an outcry from all over. We don't do that anymore, and there's a reason we don't do it anymore: Because it leads to corruption, and it leads to people doing things that they should not be doing. We shouldn't give the DOD the same—let's call it—temptations to have to give a $100 billion contract to one company.

□ 2000

Number two, competition. It's interesting now to see how things have switched where you have folks that have been talking about competition when it comes to health care, competition when it comes to business now saying that competition's going to bring quality down and bring costs up. That's not what competition does, Mr. Chairman. What competition does is bring quality up and bring costs down. I think there is definitely bipartisan agreement on that.

And number three, I served in Afghanistan on my third tour and, when I was over there about midway through in 2007, an F–18 went down. It went down here stateside, and the reason it went down is it had a cracked wing, and what we didn't know at that time is if that was an inherent flaw in the F–18 structure. So what we did in Afghanistan is we shut down all F–18 flights. In fact, the world over, F–18 flights were shut down until we could figure out if this problem was inherent in all F–18s or if it was just one problem for that one particular F–18.

If this happens with the F–35, with just one engine, we're going to ground the free world's new jet. That's what will be grounded, because the F–35 is being sold to other countries. It's being used by all of our services except for the Army, and if it goes down and we have to stop flight for it, it could put people in harm's way. That's why this is, frankly, not a money issue or a jobs issue. This is an issue of operational risk. You should have a backup engine for the main engine for the main fighter for this Nation and other nations going forward.

So with that, Mr. Chairman, I oppose this amendment.

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

The Acting CHAIR (Mr. CONAWAY). The gentleman from New Jersey is recognized for 5 minutes.

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

Mr. ANDREWS. Mr. Chairman, I thank you for the opportunity to participate in this debate.

Mr. Chairman, I don't have a dog in this fight. Neither of the two fine companies that are arguing over this has jobs in my district that I'm aware of. I'm involved in this argument because I have thousands of service personnel who serve our country, and I have hundreds of thousands of taxpayers who pay for the government of our country, and I am convinced that the right answer for our service personnel and for our taxpayers is to oppose this amendment.

We have heard many good reasons. I think the ones that stand out the most are these. As the Chair well knows, he and I were given the privilege and responsibility of looking at defense procurement across the board over the course of the last 3 or 4 years. Something very rare happened when the gentleman in the chair and I worked on this. We produced two pieces of legislation that passed the House, essentially unanimously. And in that process of Democrat and Republican working together, we learned something very disturbing, and that was that, in major weapons systems, costs had skyrocketed by $296 billion over what they were supposed to cost, and the delay in fielding these systems had gone from an average of 16 months behind to 22 months behind. That was very unwelcome news.

In the course of conducting that analysis, we also learned something that I think most Americans know intuitively. When you have more choice and you have more competition, you get a better result. I think most of us, when we've had to buy a household appliance or a car, go out and get a couple of quotes. We have people compete against each other so we get the best deal. That very commonsense concept is the core argument in front of us this evening. And I think the burden would be on those who say we shouldn't have competition and those who say that the status quo would be okay if we had only one contractor.

Now, the other point I want to make beyond money is about the operational capacity of our Armed Forces. The United States enjoys the blessing of

military superiority this evening I think for two essential reasons. The first and most important one is the quality of the young men and women who volunteer to serve us. Without question, that's the most important reason. But the second, I believe, is our superiority in the air, our ability in any corner of the globe to establish dominance over the battle space by virtue of the quality of our air assets.

The operability of those air assets, as Mr. HUNTER just mentioned a few minutes ago, is at risk if we are dependent upon one supply chain, one manufacturing process, one set of parts, and one set of solutions to a problem. You always want to have a plan B. This would be a difficult call if having that plan B operationally cost us more money, but it isn't a difficult call because the opposite is true. Having the plan B, having the option, saves money for the American taxpayer. The GAO has estimated about $21 billion over time because of the merits and benefits of choice and competition.

We have two fine enterprises involved with these engines, and I think what we ought to do is create a system where each flourishes, not because of the benefits of the job creation that will occur—although that's certainly a welcome benefit—but because operationally, this is the best way to support those who serve us. This is the best way to avoid putting them at risk because of operational defects and because the benefits and merits of competition over time will reduce pressure on our taxpayers to the tune of $21 billion.

I thank the Chair for his collegial work on this subject, and I would urge Members to defeat this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. CONAWAY, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1) making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 514, EXTENDING COUNTERTERRORISM AUTHORITIES

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 112–14) on the resolution (H. Res. 93) providing for consideration of the Senate amendment to the bill (H.R. 514) to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and Intelligence Reform and Terrorism Prevention Act of 2004 relating to access to business records, individual terrorists as agents of foreign powers, and roving wiretaps until December 8, 2011, which was referred to the House Calendar and ordered to be printed.

FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2011

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

□ 2008

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1) making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes, with Mr. CONAWAY (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 2, offered by the gentleman from Florida (Mr. ROONEY), was pending.

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

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

Mr. CHABOT. I rise in opposition to the gentleman's amendment.

Mr. Chairman, as we debate the funding of a competing engine for the Joint Strike Fighter Program, there are a few key points that we should keep in mind.

First, competition has long been the best way to control costs on large defense programs, and competition is the centerpiece of acquisition reform. By funding competing engines for the Joint Strike Fighter, we can save $21 billion. Let me repeat that, $21 billion savings in taxpayer money over time according to the Government Accountability Office.

□ 2010

Beyond the GAO's projections, our recent history demonstrates that competition also leads to a more efficient process, quicker innovation, and better contractor responsiveness. Recently, the Quadrennial Defense Review Independent Panel concluded, ''History has shown that the only reliable source of price reduction through the life of a program is competition between dual sources.'' Additionally, the absence of competition makes it harder to address the issues that inevitably arise in connection with sophisticated and critical technology, such as jet engines.

Mr. Chairman, we are seeing such issues on the lead engine for the Joint Strike Fighter. Pratt & Whitney was designated to power the JSF aircraft under the theory that it could effectively derive an engine from its engine for the F–22. Unfortunately, it wasn't as easy as they had anticipated. As a result, the lead engine for the Joint Strike Fighter is now billions of dollars over budget and, worse, struggling to perform the critical functional requirements for the aircraft.

I quote directly from the GAO report from March 2010: ''The Pratt engine is now estimated to cost about $7.3 billion, a 50 percent increase over the original contract award. The total projected cost increased $800 million in 2008. Engine development cost increases primarily resulted from higher costs for labor and materials, supplier problems, and the rework needed to correct deficiencies with an engine blade during redesign. Engine test problems have also slowed development.''

The GAO further confirmed an additional total project cost increase of $1.2 billion in 2010 alone to cover higher than expected engine costs, tooling, and other items. And on February 11, 2011, yet another cost overrun on the lead engine was announced, this time totaling at least $1 billion, bringing total cost overruns on the lead engine to an astounding $3.5 billion today.

The Department of Defense says we don't need a second engine, but these issues won't fix themselves. Only competition will help control costs and create a better, more efficient process. I ask you, How can we afford not to invest in a competing engine? Bottom line, having the engine makers fight head-to-head will give us a far more capable, more cost effective Joint Strike Fighter.

I yield back the balance of my time.

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

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

Mr. COURTNEY. Mr. Chair, I rise in support of the gentleman from Florida's amendment. And as a fellow member of the House Armed Services Committee, I just want to share at least some of the ad nauseam length of input that we have had at the Armed Services Committee over the last 2 or 3 years talking about this issue.

We have had the benefit of hearing from the warfighters, the heads of the various branches that are dealing with this program, whether it's the Marines, the Navy, the Air Force, and they have repeatedly, over the last 2 or 3 years, stated that there is no justification for this wasteful spending which, again, both the President and the Secretary of Defense have also supported.

On the Seapower Subcommittee, which I serve on, Admiral Roughead, the CNO, head of the Navy, talked about the disastrous operational impact that having two engines would have in terms of our aircraft carriers. As he stated: ''One can look at a carrier and see a very large ship, but when

that ship is deployed, we have things packed in almost every nook and cranny in order to provide that reliability and responsiveness. So having to stock two different types of engines is just not practical for us.''

It would be totally unrealistic to have a situation where the F–35B and the F–35C, which are the planes which will land on our aircraft carriers, have to fly in with two separate engines that would require two separate systems of maintenance and repair. And the notion which was stated earlier by one of the prior speakers that they are somehow interchangeable—well, if we're going to have interchangeability, then we may as well just have one engine system which is, in fact, what we have today in terms of the F–18 Super Hornets which land on aircraft carriers every day of the year. It is one engine supplier which provides the engines for those Super Hornets, GE, and good for them. And as Admiral Roughead said, he really doesn't care which engine it is, but the Navy needs to have only one system in order for them to be operational on the 11 aircraft carriers that today make up a key component of our national defense.

One person on the committee sort of suggested the fact that, well, maybe a way to solve that problem would be to have GE aircraft carriers and Pratt & Whitney aircraft carriers which, again, kind of I think highlights the absurdity of the notion that you are going to have two separate engine systems on these vessels on which every square inch is precious.

Mr. Chair, we have heard a lot of talk about competition. I'm sure there is going to be lots of rebuttal about the fact that there was a competition which led into the selection of the Pratt & Whitney engine. But what I would just end with is that competition is one thing; redundancy and waste is another.

We do not have two of everything in terms of our procurement systems. We did not have two engines for Blackhawk helicopters. We did not have two engines for F–18s or our ships. We don't have two nuclear reactor systems for our submarines, for our aircraft carriers. We don't have two separate engines for our destroyers.

The fact of the matter is you have to make decisions sometimes in order to achieve efficiency, and that's where we are today with the F–35 program. The notion that we are going to add $3 billion to production costs by having a separate alternate engine and all of the rippling effects of operational headaches which Admiral Roughead eloquently described before the Armed Services Committee is just not something that our military can afford today.

We have reached a tipping point in terms of our military budgets. We have got to focus on effective, efficient use of resources to help the warfighter and to advance our national security. And having a bloated, wasteful system of an alternate engine, which is the way The Washington Post described this program, is not the way to achieve that goal.

I strongly support this amendment and urge my colleagues to pass this amendment for a cost-effective, efficient use of our resources for our national defense.

I yield back the balance of my time.

Mrs. SCHMIDT. Mr. Chair, I move to strike the last word.

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

Mrs. SCHMIDT. Mr. Chair, I rise today to strongly urge my colleagues to vote ''no'' on this amendment. This is the wrong way to go at our critical hour of need. Congress has consistently provided funding for the development of the alternative engine because Congress knows full well the benefits of competition in weapons acquisition and procurement.

Last session, we passed the Weapons Systems Acquisition Reform Act of 2009, 411–0 in favor, and, in fact, our Senate colleagues agreed with 95–0. If there is such overwhelming bipartisan agreement in both Chambers on the need for competition in weapons systems acquisition, then why are we taking a vote to eliminate competition for the propulsion system that is going to power 95 percent of our tactical fighter fleet over the next 40 years?

Section 202 of the Weapons Systems Acquisition Reform Act clearly states, ''The Secretary of Defense shall ensure that the acquisition strategy for each major defense acquisition program includes measures to ensure competition throughout the life cycle of such program.''

The Joint Strike Fighter is the Department of Defense's largest procurement program. The Department of Defense plan calls for acquiring nearly 2,500 Joint Strike Fighters. Hundreds of additional F–35s were expected to be purchased by U.S. allies. If the propulsion system that powers nearly 3,000 tactical jet fighters is not a major defense acquisition, then I'm not sure what qualifies.

Passing this amendment will hand Pratt & Whitney a $100 billion monopoly on a 30-year contract that has never been competitively bid. Proponents of this amendment will argue that Pratt & Whitney won the engine competition when Lockheed was awarded the contract to develop a Joint Strike Fighter. Not so fast.

Last May, Mr. John Roth, from the Office of the Under Secretary of Defense Comptroller, and Mr. Mike Sullivan, the Director of Acquisition and Sourcing Management at the GAO, both testified before the House Oversight and Government Reform's Subcommittee on National Security and Foreign Affairs that the competition was done at the contractor level and that the engines were never actually competed.

The point of all this, Mr. Chair, is that the engine competition never occurred, and it is disingenuous to argue that Pratt & Whitney has already won. The fact is that providing funds for the competitive alternate engine will ultimately drive down costs, improve product quality and contractor responsiveness, drive technological innovation, and ensure that taxpayer dollars are not wasted.

□ 2020

History shows that competing engines can result in significant long-term savings. The ''Great Engine War'' saved the F16 program 21 percent in overall costs according to the 2007 GAO report. This represents $20 billion in savings for the lifetime of the Joint Strike Fighter Engine program.

Additionally, the alternative engine team represented by GE and Rolls-Royce offered the Department of Defense a fixed-priced contract. Their offer saves $1 billion in the first 5 years and puts cost overruns at the risk of the contractor. This is an unprecedented move in major defense acquisition.

Finally, providing for a competitive alternate engine will serve as a hedge against operational risk and ensure that a fighter that makes up 95 percent of our tactical fleet is not grounded due to engine failures.

Fully funding the alternative engine is not only prudent risk management, but an acknowledgment of the fundamental responsibility that Congress has to protect and provide the most reliable equipment to our men and women in uniform.

Mr. Chairman, I urge my colleagues to vote ''no'' on this ill-guided amendment. It will not save taxpayers money in the long run. I'm not even sure it's really going to save them money in the short run.

I yield back my time.

Mr. LARSON of Connecticut. I move to strike the last word.

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

Mr. LARSON of Connecticut. Mr. Chairman, I rise in support of the amendment by TOM ROONEY of Florida. Let me commend my colleague from Florida, first and foremost, and those that have joined him in this amendment.

At the President's State of the Union message there was a symbolic gesture in this Chamber for us to sit together, and we did. And we talked about the camaraderie and the need to reach out and work together.

I applaud my colleague for his strong stance and his willingness to work bipartisanly to do what the Navy, the Air Force, the Marines, the Secretary of Defense, the Bush administration and the Obama administration have asked Congress to do: end this wasteful, duplicative spending.

There are new Members that have come to Congress on both sides with new zeal and the ability to perhaps look outside the beltway at what people have to experience on a regular

basis, and they scratch their heads in awe of what seems to be a commonsense proposal by the Bush administration, by the Obama administration, by the Air Force, by the Marines, and by the Navy, and that's to end this wasteful spending.

We've heard great talk about competition. My God, I'm all for competition. I don't think there isn't a person who isn't for competition. Two engines, why not three? Why not four? It would be better overall for our industrial base.

But the people on the committee know the hard truth, as do all Americans. We've seen it. I fault no one for support of the interest of their State or their district or their employees, but let's be honest about this. We're going to have to make priorities. I've witnessed it in the C–17 and the F–22. And there comes a time when you recognize that we need these precious dollars. There has to be cuts. Both sides have acknowledged, and again I want to compliment my colleagues on the other side for the zeal that they have come here with to say, listen, the Pentagon isn't sacrosanct either, and we have to make these cuts.

And here's the Secretary of Defense pleading yesterday at a conference saying, please, the Navy, the Marines, the Air Force do not want this engine.

Look, competition is great, but let's look at some of the facts here that have been cited as well. If you have 86 percent of the market currently, and you're seeking to get 92 percent of it, where does competition lie? With a company that has 86 percent? I don't think so.

And I think anyone who looks at this from a commonsense perspective comes to that understanding, comes to that difficult decision that has to be made with respect to the Nation's deficit.

Now, Mr. ROONEY has proposed that this money go directly into a lock box to deal with the Nation's deficit. There are a lot of good proposals where to use money, but that's what he's proposed. I submit, as a Democrat who would like to see the money going to COPS funding, to make sure that LIHEAP funding gets there, that these are the kinds of compromises and decisions that we have to make. And this is what's right for the country. We have to address this deficit.

And if we have our leadership, the Bush administration, and their Pentagon, the Obama administration, you heard JOE COURTNEY talk about Admiral Roughead again saying today the absurdity involved in this argument.

It doesn't matter what company. What matters is this country. I strongly support his amendment.

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

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

Mr. DOLD. Mr. Chairman, I rise today in support of the amendment. At a time when we're running at $1.48 trillion deficits, the President's budget actually talks about a $1.6 trillion deficit. We're looking at debts of $14 trillion.

We have to tighten our belt. There is no question about it. The American public's doing it. We've asked the American families and businesses across the land to tighten their belts in order to get by. The Federal Government should be no different.

Now, we are very strong on defense. We want to make sure that those that are in harm's way have everything at their disposal to make sure that they can do the task that we've asked them to do. This, however is the program that the Department of Defense, the Secretary of Defense has said we don't need it, we don't want it. We need to make sure that we are cutting back across the board in terms of all different Departments. We need to go into every single one and say, where are the areas that we can cut back? Where is there duplication? Where are there areas that we can find that we don't need to spend today? This is a program that will save the American taxpayer $3 billion.

Now, we admit, competition is good. But why not three engines? Why not four engines? The reason why, as someone said, is we can't afford it. We can't afford two right now. We want to make sure that the engine that's out there, the one that has been awarded by the Department of Defense, has the opportunity to move forward. It is the base for the F–22. It certainly has proved itself in terms of a base engine. They're making improvements, but this is an engine that they've invested over 20,000 flight hours in. This is something that is going to move forward. The question is, are we going to fund an additional engine?

I think that we need to talk about saving dollars, saving $3 billion when both the Bush administration, the current administration right now, and the Department of Defense, the Secretary of Defense—and when was the last time you heard any of the Secretaries advocating that we don't need this money?

□ 2030

This is probably a very historic moment. They are absolutely, 100 percent looking out for the safety of those that wear the uniform.

I am going to urge my colleagues that we have to step forward, we have to cut back on areas, and this is an area that the Secretary of Defense has said we need to cut back on. I am going to urge you to vote ''yes'' in favor of this amendment.

I yield back the balance of my time.

Mr. MURPHY of Connecticut. Mr. Chairman, I move to strike the last word.

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

Mr. MURPHY of Connecticut. I rise in strong support of the amendment from the gentleman from Florida.

Cutting spending is not easy, but this one should be. I think the gentleman hit it right on the head. You are talking about the Department of Defense, the Secretary of Defense, the President, the generals who command the field all recommending against the development of a second engine. We should listen.

Now, we have heard a lot of discussion tonight, as we have when we've debated this issue in the past, about the dual issues of both quality and cost. But if this was really about the issues of both quality and cost, then we wouldn't just be talking about building a second engine. We would be talking about building a second plane; we would be talking about building a second aircraft carrier.

But as Representative COURTNEY so eloquently stated, the reason that we aren't talking about competitive bidding for a second plane, the reason why we aren't talking about two or three different aircraft carriers is that our generals, our military professionals have told us over and over again that it would be a tactical and operational nightmare to have a diversity of operational platforms with respect to these large operating systems.

This isn't about quality in the end, because the Army, the Navy, the Secretary of Defense tell us that it's not about quality.

If this was really about quality and cost, then we would have actual real competition. But we're not going to have real actual competition. What we know about these competitive bidding arrangements is that there is an explicit or implicit floor in the amount of business that you get. So whichever one of these engines is the inferior engine or the more costly engine is going to, on average, get about 40 percent of the business on an annual basis. That's not real competition.

If we want to talk about real competition, then there has to be real winners and losers here. That's not what is going on in the proposal before us. And if this was really about quality and cost, then we wouldn't have two other tactical aircraft programs that have a single engine and also have a near spotless record of performance and cost control.

We know how this works in other major aircraft acquisition programs. Single engines work. They have worked.

I think in the end, though, this is really just about who we listen to. I have great respect for the Members of this Congress who have served for years on the Armed Services Committee; but I think that when we get such unanimity of opinion, such uniformness of opinion from our military generals, from the Department of Defense, and the men and women who are going to be flying these planes, we should listen.

We should listen because it's the right thing to do for them, and we should listen because $3 billion isn't

easy to cut out of the budget. But it's a lot easier when we have the people that are going to be handling the aircraft and the equipment telling us it's the right thing to do. I rise in support of the amendment.

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

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

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

This amendment is contrary to the interests of taxpayers and our military. It is not a cost-saving amendment. It is an anti-competition amendment. Therefore, it will cost us more money in the long run.

It is recognized that the Department of Defense suffers from a lack of competition and acquisition process. Sole-source contracts already account for $140 billion, or 38 percent, of the $366 billion that DOD spent on contracts in fiscal year 2010.

We know from experience that competing the engine on the F–35 is likely to both save money and improve the performance on both engines. It's not me saying that; the GAO and DOD's own internal studies have said it.

DOD says it will cost $2.9 billion to develop an alternative engine, although GAO says it may be much less. The F–35 will cost about $100 billion. GAO's analysis suggests a savings of about 20 percent in procurement, with an additional savings over the life cycle of the programs. The alternative engine would more than pay for itself in future savings, even putting aside the potential benefits in performance.

The power of our tactical Air Force is utterly dependent on the success of the F–35 program. The total cost is approaching $400 billion. The air frame and the engine portions of the program have been riddled with cost growth throughout the development effort.

Are we to say that it is unreasonable to spend $450 million to ensure that our fighter pilots have the best aircraft and the best engine possible? I'm convinced that competition will make both engine variants of the F–35 better.

And why do we think DOD can stand on a principle that has been proven over and over again in the marketplace? Competition leads to lower cost and better performance. Our fighters deserve this.

The DOD's position against this engine has been shown to be faulty on analysis and driven only by short-term budget considerations. The independent QDR review panel last year stated: ''History has shown that the only reliable source of price reduction throughout the life of a program is competition between dual sources.''

This amendment ignores that history. It will not save money and risks the combat effectiveness of our Air Force. Mr. Speaker, I oppose the amendment.

I yield back the balance of my time.

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

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

Mr. DEFAZIO. Only inside the Washington, D.C. beltway could we be having this debate.

The taxpayers are demanding that we tighten our belts and save money. The Pentagon says, let's go ahead with the single engine procurement, which resulted from a competition, which is a quality engine.

Now, if that engine has problems, someone at the Pentagon should be fired. If there was problems with the original competition, a lot of people at the Pentagon should be fired. And maybe we ought to look at overhauling the procurement process.

But to say now, well, we've got a good engine. They want a competition. But we've got another company that really wishes it had won the competition but didn't win the competition, and now they still want to build an engine and the taxpayers should subsidize it, Which is what this is all about. It only costs $2.9 billion for them to develop an alternative engine. Only $2.9 billion. Inside the Washington, D.C. beltway that's not real money.

I guess the joke is, inside the Washington, D.C. beltway, how many jet engines does it take to fly a single engine fighter? Now, most Americans would think, well, that's probably not a joke, and it would be one. Right? No. It's two.

Now, if we need two on the ground, maybe we need two in the air. Maybe we ought to redesign the plane and put two engines in the tail, one from one company and one from the other. In case one flames out, we've got one left at least to bring the plane back. I mean, if we're so worried about reliability, maybe we just ought to start all over again. Come on, guys. Let's not be ridiculous here.

Two supply chains. Two sets of mechanics. Two sets of spare parts. Oh, wait a minute. This plane broke down over here and the mechanic there and the spare parts are for the other one. Oh, we've got to keep them sorted out by which engine they've got, where they are, where they'll fly in the world, what mission they'll go on, which mechanics we send, which supply chain we send for it.

No, this is not going to save money. This is not going to save money. If you did a crappy procurement, then fix it; but don't say let's do another procurement in the way the Pentagon always does things, which will inevitably be another cost overrun procurement.

So it won't only cost $2.9 billion to develop the alternative engine. We'll hear 6 months from now, a year from now, Oh, well, we thought we could develop an alternative for 2.9, but it will be 10. But don't worry. It will still bring down the overall cost.

Support this amendment. Support common sense. Stand up for the taxpayers, and stand up for the military which says we don't need a second engine for this plane. They are the guys who fly them.

□ 2040

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

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

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

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

Mr. FRELINGHUYSEN. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 127, line 17, be considered as read, printed in the RECORD and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The text of that portion of the bill is as follows:

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $26,742,405,000, to remain available for obligation until September 30, 2012.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $20,797,412,000, to remain available for obligation until September 30, 2012: *Provided*, That of the funds made available in this paragraph, $3,200,000 shall only be available for program management and oversight of innovative research and development.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, $194,910,000, to remain available for obligation until September 30, 2012.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,434,536,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to

maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $1,474,866,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, $31,382,198,000; of which $29,671,764,000 shall be for operation and maintenance, of which not to exceed 1 percent shall remain available until September 30, 2012, and of which up to $16,212,121,000 may be available for contracts entered into under the TRICARE program; of which $534,921,000, to remain available for obligation until September 30, 2013, shall be for procurement; and of which $1,175,513,000, to remain available for obligation until September 30, 2012, shall be for research, development, test and evaluation: *Provided*, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than $10,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions, to include construction of facilities, in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $1,467,307,000, of which $1,067,364,000 shall be for operation and maintenance, of which no less than $111,178,000, shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of $35,130,000 for activities on military installations and $76,048,000, to remain available until September 30, 2012, to assist State and local governments; $7,132,000 shall be for procurement, to remain available until September 30, 2013; and $392,811,000, to remain available until September 30, 2012, shall be for research, development, test and evaluation, of which $385,868,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, $1,156,957,000: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $306,794,000, of which $305,794,000 shall be for operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which $1,000,000, to remain available until September 30, 2013, shall be for procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $292,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, $649,732,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That, in the case of a host nation that does not provide salary increases on an annual basis, any increase granted by that nation shall be annualized for the purpose of applying the preceding proviso: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $4,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2011: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled "Explanation of Project Level Adjustments" in the explanatory statement regarding this Act, the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2011: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8008. The Secretaries of the Air Force and the Army are authorized, using funds available under the headings ''Operation and Maintenance, Air Force'' and ''Operation and Maintenance, Army'', to complete facility conversions and phased repair projects which may include upgrades and additions to Alaskan range infrastructure and training areas, and improved access to these ranges.

(TRANSFER OF FUNDS)

SEC. 8009. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the ''Foreign Currency Fluctuations, Defense'' appropriation and the ''Operation and Maintenance'' appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8010. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8011. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows:

Navy MH–60R/S Helicopter Systems.

SEC. 8012. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8013. (a) During fiscal year 2011, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2012 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2012 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2012.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8014. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8015. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army.

SEC. 8016. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(TRANSFER OF FUNDS)

SEC. 8017. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8018. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section, the term ''manufactured'' shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8019. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8020. No more than $500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8021. In addition to the funds provided elsewhere in this Act, $15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 430 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8022. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8023. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8024. (a) Of the funds made available in this Act, not less than $30,374,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $27,048,000 shall be available from ''Operation and Maintenance, Air Force'' to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) $2,424,000 shall be available from ''Aircraft Procurement, Air Force''; and

(3) $902,000 shall be available from ''Other Procurement, Air Force'' for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8025. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2011 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2011, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2012 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by $125,000,000.

SEC. 8026. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8027. For the purposes of this Act, the term ''congressional defense committees'' means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8028. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

SEC. 8029. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2011. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

SEC. 8030. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8031. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term ''Indian tribe'' means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).

SEC. 8032. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $250,000.

SEC. 8033. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2012 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2012 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2012 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8034. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2012: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2012.

SEC. 8035. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8036. Of the funds appropriated to the Department of Defense under the heading ''Operation and Maintenance, Defense-Wide'', not less than $12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8037. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a ''Made in America'' inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8038. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: *Provided*, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8039. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program; or

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats; or

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense.

SEC. 8040. The Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, may use funds made available in this Act under the heading ''Operation and Maintenance, Defense-Wide'' to make grants and supplement other Federal funds in accordance with the guidance provided in the explanatory statement regarding this Act.

(RESCISSIONS)

SEC. 8041. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

''Procurement of Weapons and Tracked Combat Vehicles, Army, 2009/2011'', $86,300,000;

''Other Procurement, Army, 2009/2011'', $147,600,000;

''Aircraft Procurement, Navy, 2009/2011'', $26,100,000;

''Aircraft Procurement, Air Force, 2009/2011'', $116,900,000;

''Aircraft Procurement, Army, 2010/2012'', $14,000,000;

''Procurement of Weapons and Tracked Combat Vehicles, Army, 2010/2012'', $36,000,000;

''Missile Procurement, Army, 2010/2012'', $9,171,000;

''Aircraft Procurement, Navy, 2010/2012'', $184,847,000;

''Procurement of Ammunition, Navy and Marine Corps, 2010/2012'', $11,576,000;

Under the heading, ''Shipbuilding and Conversion, Navy, 2010/2014'': DDG–51 Destroyer, $22,000,000;

''Other Procurement, Navy, 2010/2012'', $9,042,000;

''Aircraft Procurement, Air Force, 2010/2012'', $151,300,000;

''Other Procurement, Air Force, 2010/2012'', $36,600,000;

''Research, Development, Test and Evaluation, Army, 2010/2011'', $53,500,000;

''Research, Development, Test and Evaluation, Air Force, 2010/2011'', $198,600,000; and

''Research, Development, Test and Evaluation, Defense-Wide, 2010/2011'', $10,000,000.

SEC. 8042. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8043. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8044. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8045. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: *Provided*, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8046. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8047. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of ''commercial items'', as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8048. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8049. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: *Provided*, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8050. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following—

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8051. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8052. During the current fiscal year, no more than $30,000,000 of appropriations made in this Act under the heading ''Operation and Maintenance, Defense-Wide'' may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8053. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and

recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8054. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8055. Using funds made available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern and at the Rhine Ordnance Barracks area, such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8056. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8057. None of the funds made available in this Act may be used to approve or license the sale of the F–22A advanced tactical fighter to any foreign government: *Provided*, That the Department of Defense may conduct or participate in studies, research, design and other activities to define and develop a future export version of the F–22A that protects classified and sensitive information, technologies and U.S. warfighting capabilities.

SEC. 8058. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8059. (a) None of the funds made available by this Act may be used to support any training program involving a unit of the security forces or police of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8060. None of the funds appropriated or made available in this Act to the Department of the Navy shall be used to develop, lease or procure the T–AKE class of ships unless the main propulsion diesel engines and propulsors are manufactured in the United States by a domestically operated entity: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant cost or quality difference.

SEC. 8061. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8062. Notwithstanding any other provision of law, funds appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 30 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8063. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8064. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: *Provided*, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8065. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8066. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a centerfire cartridge and a United States military nomenclature designation of ''armor penetrator'', ''armor piercing (AP)'', ''armor piercing incendiary (API)'', or ''armor-piercing incendiary tracer (API–T)'', except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8067. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8068. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military

installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

SEC. 8069. Funds available to the Department of Defense for the Global Positioning System during the current fiscal year, and hereafter, may be used to fund civil requirements associated with the satellite and ground control segments of such system's modernization program.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8070. Of the amounts appropriated in this Act under the heading ''Operation and Maintenance, Army'', $147,258,300 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8071. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2011.

SEC. 8072. In addition to amounts provided elsewhere in this Act, $4,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: *Provided*, That notwithstanding any other provision of law, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8073. Of the amounts appropriated in this Act under the headings ''Procurement, Defense-Wide'' and ''Research, Development, Test and Evaluation, Defense-Wide'', $415,115,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, $205,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, $84,722,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, $58,966,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and $66,427,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite, of which $12,000,000 shall be for producing Arrow missile components in the United States and Arrow missile components in Israel to meet Israel's defense requirements, consistent with each nation's laws, regulations and procedures: *Provided further*, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

SEC. 8074. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command administrative and operational control of U.S. Navy forces assigned to the Pacific fleet: *Provided*, That the command and control relationships which existed on October 1, 2004, shall remain in force unless changes are specifically authorized in a subsequent Act.

SEC. 8075. Notwithstanding any other provision of law or regulation, the Secretary of Defense may exercise the provisions of section 7403(g) of title 38, United States Code, for occupations listed in section 7403(a)(2) of title 38, United States Code, as well as the following:

Pharmacists, Audiologists, Psychologists, Social Workers, Othotists/Prosthetists, Occupational Therapists, Physical Therapists, Rehabilitation Therapists, Respiratory Therapists, Speech Pathologists, Dietitian/Nutritionists, Industrial Hygienists, Psychology Technicians, Social Service Assistants, Practical Nurses, Nursing Assistants, and Dental Hygienists:

(A) The requirements of section 7403(g)(1)(A) of title 38, United States Code, shall apply.

(B) The limitations of section 7403(g)(1)(B) of title 38, United States Code, shall not apply.

SEC. 8076. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2011 until the enactment of the Intelligence Authorization Act for Fiscal Year 2011.

SEC. 8077. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8078. The budget of the President for fiscal year 2012 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP–5 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8079. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8080. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, $65,200,000 is hereby appropriated to the Department of Defense: *Provided*, That the Secretary of Defense shall make grants in the amounts specified as follows: $20,000,000 to the United Service Organizations; $24,000,000 to the Red Cross; $1,200,000 to the Special Olympics; and $20,000,000 to the Youth Mentoring Grants Program: *Provided further*, That funds available in this section for the Youth Mentoring Grants Program may be available for transfer to the Department of Justice Youth Mentoring Grants Program.

SEC. 8081. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8082. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8083. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8084. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: *Provided*, That the Secretary may transfer not to exceed $100,000,000 under the authority provided by this section: *Provided*

further, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: *Provided further,* That any funds transferred pursuant to this section shall retain the same period of availability as when originally appropriated: *Provided further*, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8085. For purposes of section 7108 of title 41, United States Code, any subdivision of appropriations made under the heading ''Shipbuilding and Conversion, Navy'' that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in the current fiscal year or any prior fiscal year.

SEC. 8086. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ–1C Sky Warrior Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8087. Of the funds provided in this Act, $7,080,000 shall be available for the operations and development of training and technology for the Joint Interagency Training and Education Center and the affiliated Center for National Response at the Memorial Tunnel and for providing homeland defense/security and traditional warfighting training to the Department of Defense, other Federal agencies, and State and local first responder personnel at the Joint Interagency Training and Education Center.

SEC. 8088. Notwithstanding any other provision of law or regulation, during the current fiscal year and hereafter, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8089. Up to $15,000,000 of the funds appropriated under the heading ''Operation and Maintenance, Navy'' may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8090. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2012.

SEC. 8091. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading ''Shipbuilding and Conversion, Navy'' shall be considered to be for the same purpose as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8092. Notwithstanding any other provision of law, not more than 35 percent of funds provided in this Act for environmental remediation may be obligated under indefinite delivery/indefinite quantity contracts with a total contract value of $130,000,000 or higher.

SEC. 8093. The Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books.

(1) For procurement programs requesting more than $20,000,000 in any fiscal year, the P–1, Procurement Program; P–5, Cost Analysis; P–5a, Procurement History and Planning; P–21, Production Schedule; and P–40, Budget Item Justification.

(2) For research, development, test and evaluation projects requesting more than $10,000,000 in any fiscal year, the R–1, RDT&E Program; R–2, RDT&E Budget Item Justification; R–3, RDT&E Project Cost Analysis; and R–4, RDT&E Program Schedule Profile.

SEC. 8094. The Secretary of Defense shall create a major force program category for space for each future-years defense program of the Department of Defense submitted to Congress under section 221 of title 10, United States Code, during fiscal year 2011. The Secretary of Defense shall designate an official in the Office of the Secretary of Defense to provide overall supervision of the preparation and justification of program recommendations and budget proposals to be included in such major force program category.

SEC. 8095. (a) Not later than 60 days after enactment of this Act, the Office of the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2011: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8096. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8097. For the purposes of this Act, the term ''congressional intelligence committees'' means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8098. The Department of Defense shall continue to report incremental contingency operations costs for Operation New Dawn and Operation Enduring Freedom on a monthly basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 ''Contingency Operations'', Annex 1, dated September 2005.

SEC. 8099. The amounts appropriated in title II of this Act are hereby reduced by $1,983,000,000 to reflect excess cash balances in Department of Defense Working Capital Funds, as follows: (1) From ''Operation and Maintenance, Army'', $700,000,000; and (2) From ''Operation and Maintenance, Defense-Wide'', $1,283,000,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8100. During the current fiscal year, not to exceed $11,000,000 from each of the appropriations made in title II of this Act for ''Operation and Maintenance, Army'', ''Operation and Maintenance, Navy'', and ''Operation and Maintenance, Air Force'' may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8101. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, $24,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: *Provided*, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: *Provided further*, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8102. Funds appropriated by this Act for operation and maintenance may be available for the purpose of making remittances to the Defense Acquisition Workforce Development Fund in accordance with the requirements of section 1705 of title 10, United States Code.

SEC. 8103. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8104. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of $1,000,000 unless the contractor agrees not to:

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment,

that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a ''covered subcontractor'' is an entity that has a subcontract in excess of $1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

(e) By March 1, 2011, or within 60 days after enactment of this Act, whichever is later, the Government Accountability Office shall submit a report to the Congress evaluating the effect that the requirements of this section have had on national security, including recommendations, if any, for changes to these requirements.

SEC. 8105. (a) PROHIBITION ON CONVERSION OF FUNCTIONS PERFORMED BY FEDERAL EMPLOYEES TO CONTRACTOR PERFORMANCE.—None of the funds appropriated by this Act or otherwise available to the Department of Defense may be used to begin or announce the competition to award to a contractor or convert to performance by a contractor any functions performed by Federal employees pursuant to a study conducted under Office of Management and Budget (OMB) Circular A–76.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to the award of a function to a contractor or the conversion of a function to performance by a contractor pursuant to a study conducted under Office of Management and Budget (OMB) Circular A–76 once all reporting and certifications required by section 325 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) have been satisfactorily completed.

SEC. 8106. (a)(1) No National Intelligence Program funds appropriated in this Act may be used for a mission critical or mission essential business management information technology system that is not registered with the Director of National Intelligence. A system shall be considered to be registered with that officer upon the furnishing notice of the system, together with such information concerning the system as the Director of the Business Transformation Office may prescribe.

(2) During the current fiscal year no funds may be obligated or expended for a financial management automated information system, a mixed information system supporting financial and non-financial systems, or a business system improvement of more than $3,000,000, within the Intelligence Community without the approval of the Business Transformation Office, and the designated Intelligence Community functional lead element.

(b) The Director of the Business Transformation Office shall provide the congressional intelligence committees a semi-annual report of approvals under paragraph (1) no later than March 30 and September 30 of each year. The report shall include the results of the Business Transformation Investment Review Board's semi-annual activities, and each report shall certify that the following steps have been taken for systems approved under paragraph (1):

(1) Business process reengineering.

(2) An analysis of alternatives and an economic analysis that includes a calculation of the return on investment.

(3) Assurance the system is compatible with the enterprise-wide business architecture.

(4) Performance measures.

(5) An information assurance strategy consistent with the Chief Information Officer of the Intelligence Community.

(c) This section shall not apply to any programmatic or analytic systems or programmatic or analytic system improvements.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8107. Of the funds appropriated in this Act for the Office of the Director of National Intelligence, $50,000,000, may be transferred to appropriations available to the Central Intelligence Agency, the National Security Agency, and the National Geospatial Intelligence Agency, the Defense Intelligence Agency and the National Reconnaissance Office for the Business Transformation Transfer Funds, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8108. In addition to funds made available elsewhere in this Act, there is hereby appropriated $538,875,000, to remain available until transferred: *Provided*, That these funds are appropriated to the ''Tanker Replacement Transfer Fund'' (referred to as ''the Fund'' elsewhere in this section): *Provided further*, That the Secretary of the Air Force may transfer amounts in the Fund to ''Operation and Maintenance, Air Force'', ''Aircraft Procurement, Air Force'', and ''Research, Development, Test and Evaluation, Air Force'', only for the purposes of proceeding with a tanker acquisition program: *Provided further*, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriations or fund to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of the Air Force shall, not fewer than 15 days prior to making transfers using funds provided in this section, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8109. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to $132,200,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111–84: *Provided*, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110–417: *Provided further*, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8110. (a) Of the amounts made available in this Act under the heading ''Operation and Maintenance, Navy'', not less than $2,000,000, shall be made available for leveraging the Army's Contractor Manpower Reporting Application, modified as appropriate for Service-specific requirements, for documenting the number of full-time contractor employees (or its equivalent) pursuant to United States Code title 10, section 2330a(c) and meeting the requirements of United States Code title 10, section 2330a(e) and United States Code title 10, section 235.

(b) Of the amounts made available in this Act under the heading ''Operation and Maintenance, Air Force'', not less than $2,000,000 shall be made available for leveraging the Army's Contractor Manpower Reporting Application, modified as appropriate for Service-specific requirements, for documenting the number of full-time contractor employees (or its equivalent) pursuant to United States Code title 10 section 2330a(c) and meeting the requirements of United States Code title 10, section 2330a(e) and United States Code title 10, section 235.

(c) The Secretaries of the Army, Navy, Air Force, and the Directors of the Defense Agencies and Field Activities (in coordination with the appropriate Principal Staff Assistant), in coordination with the Under Secretary of Defense for Personnel and Readiness, shall report to the congressional defense committees within 60 days of enactment of this Act their plan for documenting the number of full-time contractor employees (or its equivalent), as required by United States Code title 10, section 2330a.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8111. In addition to amounts provided elsewhere in this Act, there is appropriated

$250,000,000, for an additional amount for ''Operation and Maintenance, Defense-Wide'', to be available until expended: *Provided*, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: *Provided further*, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense.

SEC. 8112. In addition to amounts provided elsewhere in this Act, there is appropriated $300,000,000, for an additional amount for ''Operation and Maintenance, Defense-Wide'', to remain available until expended. Such funds may be available for the Office of Economic Adjustment, notwithstanding any other provision of law, for transportation infrastructure improvements associated with medical facilities related to recommendations of the Defense Base Closure and Realignment Commission.

SEC. 8113. Section 310(b) of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1871) is amended by striking ''1 year'' both places it appears and inserting ''2 years''.

SEC. 8114. The Office of the Director of National Intelligence shall not employ more Senior Executive employees than are specified in the classified annex: *Provided*, That not later than 90 days after enactment of this Act, the Director of National Intelligence shall certify that the Office of the Director of National Intelligence selects individuals for Senior Executive positions in a manner consistent with statutes, regulations, and the requirements of other Federal agencies in making such appointments and will submit its policies and procedures related to the appointment of personnel to Senior Executive positions to the congressional intelligence oversight committees.

SEC. 8115. For all major defense acquisition programs for which the Department of Defense plans to proceed to source selection during the current fiscal year, the Secretary of Defense shall perform an assessment of the winning bidder to determine whether or not the proposed costs are realistic and reasonable with respect to proposed development and production costs. The Secretary of Defense shall provide a report of these assessments, to specifically include whether any cost assessments determined that such proposed costs were unreasonable or unrealistic, to the congressional defense committees not later than 60 days after enactment of this Act and on a quarterly basis thereafter.

SEC. 8116. (a) The Deputy Under Secretary of Defense for Installations and Environment, in collaboration with the Secretary of Energy, shall conduct energy security pilot projects at facilities of the Department of Defense.

(b) In addition to the amounts provided elsewhere in this Act, $20,000,000, is appropriated to the Department of Defense for ''Operation and Maintenance, Defense-Wide'' for energy security pilot projects under subsection (a).

SEC. 8117. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay a retired general or flag officer to serve as a senior mentor advising the Department of Defense unless such retired officer files a Standard Form 278 (or successor form concerning public financial disclosure under part 2634 of title 5, Code of Federal Regulations) to the Office of Government Ethics.

SEC. 8118. Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, the Chief of the Air Force Reserve, and the Director of the National Guard Bureau, in collaboration with the Secretary of Agriculture and the Secretary of the Interior, shall submit to the Committees on Appropriations of the House and Senate, the House Committee on Agriculture, the Senate Committee on Agriculture, Nutrition and Forestry, the House Committee on Natural Resources, and the Senate Committee on Energy and Natural Resources a report of firefighting aviation assets. The report required under this section shall include each of the following:

(1) A description of the programming details necessary to obtain an appropriate mix of fixed wing and rotor wing firefighting assets needed to produce an effective aviation resource base to support the wildland fire management program into the future. Such programming details shall include the acquisition and contracting needs of the mix of aviation resources fleet, including the acquisition of up to 24 C–130Js equipped with the Mobile Airborne Fire Fighting System II (in this section referred to as ''MAFFS''), to be acquired over several fiscal years starting in fiscal year 2012.

(2) The costs associated with acquisition and contracting of the aviation assets described in paragraph (1).

(3) A description of the costs of the operation, maintenance, and sustainment of a fixed and rotor wing aviation fleet, including a C–130J/MAFFS II in an Air National Guard tactical airlift unit construct of 4, 6, or 8 C–130Js per unit starting in fiscal year 2012, projected out through fiscal year 2020. Such description shall include the projected costs associated with each of the following through fiscal year 2020:

(A) Crew ratio based on 4, 6, or 8 C–130J Air National Guard unit construct and requirement for full-time equivalent crews.

(B) Associated maintenance and other support personnel and requirement for full-time equivalent positions.

(C) Yearly flying hour model and the cost for use of a fixed and rotor wing aviation fleet, including C–130J in its MAFFS capacity supporting the United States Forest Service.

(D) Yearly flying hour model and cost for use of a C–130J in its capacity supporting Air National Guard tactical airlift training.

(E) Any other costs required to conduct both the airlift and firefighting missions, including the Air National Guard unit construct for C–130Js.

(4) Proposed program management, utilization, and cost share arrangements for the aircraft described in paragraph (1) for primary support of the Forest Service and secondary support, on an as available basis, for the Department of Defense, together with any proposed statutory language needed to authorize and effectuate the same.

(5) An integrated plan for the Forest Service and the Department of the Interior wildland fire management programs to operate the fire fighting air tanker assets referred to in this section.

SEC. 8119. The explanatory statement regarding this Act, printed in the House of Representatives section of the Congressional Record on or about February 16, 2011, by the Chairman of the Committee on Appropriations of the House, shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a Report of the Committee on Appropriations.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $11,468,033,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $1,308,719,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $732,920,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $2,060,442,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $268,031,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $48,912,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $45,437,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $27,002,000: *Provided*,

That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $853,022,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $16,860,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $59,212,782,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $8,970,724,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $4,008,022,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $12,989,643,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $9,276,990,000: *Provided*, That each amount in this section is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010: *Provided further*, That of the funds provided under this heading:

(1) Not to exceed $12,500,000 for the Combatant Commander Initiative Fund, to be used in support of Operation New Dawn and Operation Enduring Freedom; and

(2) Not to exceed $1,600,000,000, to remain available until expended, for payments to reimburse key cooperating nations for logistical, military, and other support, including access provided to United States military operations in support of Operation New Dawn and Operation Enduring Freedom, notwithstanding any other provision of law: *Provided*, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the requirement to provide notification shall not apply with respect to a reimbursement for access based on an international agreement: *Provided further*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Iraq and Afghanistan, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $206,784,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $93,559,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $29,685,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $203,807,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $497,849,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $417,983,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

AFGHANISTAN INFRASTRUCTURE FUND

(INCLUDING TRANSFER OF FUNDS)

There is hereby established in the Treasury of the United States the ''Afghanistan Infrastructure Fund''. For the ''Afghanistan Infrastructure Fund'', $400,000,000, to remain available until September 30, 2012: *Provided*, That such sums shall be available for infrastructure projects in Afghanistan, notwithstanding any other provision of law, which shall be undertaken by the Secretary of State, unless the Secretary of State and the Secretary of Defense jointly decide that a specific project will be undertaken by the Department of Defense: *Provided further*, That the infrastructure referred to in the preceding proviso is in support of the counterinsurgency strategy, requiring funding for facility and infrastructure projects, including, but not limited to, water, power, and transportation projects and related maintenance and sustainment costs: *Provided further*, That the authority to undertake such infrastructure projects is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That any projects funded by this appropriation shall be jointly formulated and concurred in by the Secretary of State and Secretary of Defense: *Provided further*, That funds may be transferred to the Department of State for purposes of undertaking projects, which funds shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other authority available to the Department of Defense to transfer funds: *Provided further*, That any unexpended funds transferred to the Secretary of State under this authority shall be returned to the Afghanistan Infrastructure Fund if the Secretary of State, in coordination with the

Secretary of Defense, determines that the project cannot be implemented for any reason, or that the project no longer supports the counterinsurgency strategy in Afghanistan: *Provided further*, That any funds returned to the Secretary of Defense under the previous proviso shall be available for use under this appropriation and shall be treated in the same manner as funds not transferred to the Secretary of State: *Provided further*, That contributions of funds for the purposes provided herein to the Secretary of State in accordance with section 635(d) of the Foreign Assistance Act from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers to or from, or obligations from the Fund, notify the appropriate committees of Congress in writing of the details of any such transfer: *Provided further*, That the ''appropriate committees of Congress'' are the Committees on Armed Services, Foreign Relations and Appropriations of the Senate and the Committees on Armed Services, Foreign Affairs and Appropriations of the House of Representatives: *Provided further*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

AMENDMENT NO. 95 OFFERED BY MR. JONES

Mr. JONES. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 127, line 23, after the dollar amount, insert ''(reduced by $400,000,000)''.

Page 359, line 6, after the dollar amount, insert ''(increased by $400,000,000)''.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. JONES. Mr. Chairman, this amendment removes the new $400 million Afghan Infrastructure Fund and it would be returned to the spending reduction account.

I bring this amendment to the floor because of the frustration of the American people. Here we are trying to find $400 million to put in an infrastructure fund for Afghanistan, which is going to be borrowed money from the Chinese to begin with. It's not even Uncle Sam's money. And then in addition to that, we're propping up a corrupt, dishonest government headed by President Karzai. At this time in America's history when we are having these debates tonight that I've heard all day long with the frustration of the Members of Congress from both parties that here we cannot even balance the budget of this country and we're trying to find this money to go to the infrastructure of Afghanistan and we're going to say to the American people, we can't help you with your infrastructure needs in your counties, in your towns, in your cities, it makes absolutely no sense to me, and more important than me is to the American people.

I would also like to mention that the Afghan Infrastructure Fund would help create another ''bridge to nowhere.'' It's going to be money that cannot even be accounted for the majority of the time, and I make mention of that for this reason. The recent Special Inspector General for Afghanistan Reconstruction report released on January 30, 2011, cited significant fraud, waste and abuse with Afghanistan reconstruction funds.

I do not know why in the world we cannot make the statement to the American people that we're going to see that the $400 million going to a dishonest, dysfunctional government overseas cannot be returned to help reduce the debt and deficit of this country or even returned to the cities and counties throughout the country of America.

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

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

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

Mr. FRELINGHUYSEN. Eliminating the $400 million Afghanistan Infrastructure Fund is ill-conceived and unwise. This fund provides funding for high-priority, large-scale infrastructure programs in support of the civil-military campaign in Afghanistan. These projects are critical to convincing the Afghan population to reject the insurgency and side with the Afghan Government. This in turn significantly reduces the threat to our troops and quickens the security transition process, which we all seek.

Not only is this funding a top priority of the Secretaries of State and Defense, it is also a top priority of General David Petraeus. This fund is so directly related to the safety and security of our troops that it needs to be preserved, and thus I urge a ''no'' vote on the amendment.

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

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

Mr. DICKS. The amendment would eliminate all funding in the bill for the Afghan Infrastructure Fund—a total of $400 million. Establishing the fund at this level of funding was done at the request of the Secretary of Defense and the Secretary of State in a joint letter to the congressional defense committees in November 2010.

The funding was not added to the bill. It was derived by reducing the amount available for the Commanders Emergency Response Program. DOD requested that funding for this account be obtained in this manner. The Departments of Defense and State view this fund as essential to completing large scale infrastructure projects in Afghanistan, such as electrical power generation. Such projects provide the means for economic activity which will help to reduce risk for U.S. troops and help improve security in Afghanistan.

I urge rejection of this amendment.

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

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

Mr. THORNBERRY. Mr. Chairman, the reason we have troops in Afghanistan is to prevent Afghanistan from again becoming a sanctuary from which terrorists will launch attacks against us. For us to one day be able to withdraw our troops from Afghanistan, the Afghan people have to be able to stand on their own two feet, and this fund is designed to help them do that.

The people there have to be able to resist the Taliban, al Qaeda and other groups that want to undermine their security and use Afghanistan once again as a terrorist base. This program, as has been mentioned, is a very high priority of our own military commander in Afghanistan, General Petraeus. Part of the reason it's one of his priorities is, as the gentleman from New Jersey said, this helps keep our own troops safe. When we are able to work with the Afghan people and develop the country, our troops in the country have a less danger opposing them. It is less likely that they will suffer some of the problems from the indigent population.

But the second reason General Petraeus believes this is very important is that it's an integral part of his counterinsurgency campaign plan. So to withdraw this money at this point makes his job more difficult and increases the danger to our troops. I don't think that makes sense at any level.

The other point I would make is this: As the gentleman from Washington said, this was a request from the Secretary of State and Secretary of Defense for a fund that both agencies would work on. One of these days this government is going to have to get to interagency funds so that you don't have the State Department working on one hand, the Defense Department on another, other agencies doing their own thing. We have to have a combined effort, and this fund is at least a step in that direction. The interagency nature of it helps to prevent waste, abuse and misuse of these funds because you do have the extra oversight on its use. But I think the key point is—this is a question of our national security to help the Afghans stand on their own two feet, and I believe the amendment should be rejected.

I yield back the balance of my time.

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

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

Mr. HUNTER. Thank you, Mr. Chairman.

First, I believe my friend from North Carolina does have the best intentions at heart. I believe he is doing this for the right reason. He wants to get out of

Afghanistan and he believes that Afghanistan is a very corrupt country with very corrupt leadership. The problem is, is that things in this world aren't perfect. I served for 6 months in the Marine Corps in Afghanistan in 2007. I didn't do anything of significance, but when I was there I saw what really turned the people of Afghanistan towards America, what made them turn around, what made them change their mind. It wasn't us killing people who cause us to stay up at night and worry about them. That's what we're worried about. What the Afghans are worried about is, will they have electricity? Can they drive on the roads? Can they put fruit in their Mack truck and drive it 20 miles and sell it at the next town? Do their lights work? Is their trash getting picked up? Is their sewer getting cleaned out? General Petraeus understands this is counterinsurgency. That's what counterinsurgency means.

□ 2050

I want to get out of Afghanistan, too. It is an expensive war in blood and treasure, but it is a war that was not started by us. It was started by two airplanes flying into two towers. And 9/11 has cost us more than Afghanistan ever will in what it has done to this Nation, making us second guess who our friends are, sending us to Afghanistan.

I would ask my friend from North Carolina this, and I am going to yield the balance of my time to my friend from North Carolina: If we are not the ones helping out the Afghan people, I will tell you who it is going to be—the Taliban. The Taliban are the bankers of Afghanistan. They have drug money and they use it to loan to the locals in Afghanistan. So if we don't help them out, if we don't become their friends, if we don't befriend the people, the counterinsurgency doesn't work.

I think that my friend, if he knew that we would leave quicker, we would leave Afghanistan in victory quicker by keeping this money there, I think he would withdraw his amendment.

Mr. Chairman, I yield to the gentleman from North Carolina (Mr. JONES).

Mr. JONES. I thank the gentleman for yielding.

I would say if I thought Karzai was an honest man that would appreciate the American taxpayers' money, I would feel differently, quite frankly. But I realize it is a corrupt government. I wish that what you say was so. And I trust you. I have great respect for you as well, but we are dealing with a dishonest, dysfunctional government.

When Karzai was quoted in The Washington Post in December saying, ''I have three enemies, one being America, one being the Taliban, one being the international community, and if I had to choose one of these as a friend, I would choose the Taliban,'' this is why I wanted to speak tonight, to bring this forward and let the Members vote this up or down. That is fine with me.

The point is this is money we could be using right here in this country. If I thought Karzai was an honest broker, I would probably not even offer the amendment.

Mr. HUNTER. Reclaiming my time, this is an interagency fund, DOD, State Department, USAID, different American agencies. They are going to be the ones distributing this money. I doubt Karzai ever sees this money, as it would go straight to contractors, either Afghan or from here, from the U.S., or other countries.

I yield to the gentleman.

Mr. JONES. My answer to that would be that I would hope that this would prove to be true. But the problem is we always know that when you have got a dysfunctional government, you have got a dishonest man, it might be intended to go this way, but too many times it does not.

I would honestly say to you that I offer this amendment on behalf of the American people, because they can't fix their streets, they can't fix their roads. And, by God, it is only $400 million, but to a lot of people in my district, that is a lot of money going to a dishonest leader of a country in Afghanistan.

Mr. HUNTER. Reclaiming my time, Mr. Chairman, $400 million is a lot of money, and Americans do need that money. But I would answer that with this: The men and women that have given their lives over in Afghanistan, the men and women, as you well know, representing Camp Lejeune and all of those marines, the men and women that have given their time and their blood for this country I think deserve to be backed up by us by saying we are going to give the money to your boss, General Petraeus, so we can win the war and leave victoriously, and I think that is what I think this $400 million does.

With that, I oppose the gentleman's amendment.

Mr. CONYERS. Mr. Chair, I rise in strong support of the amendment offered by my friend, Mr. JONES of North Carolina. This amendment would cut $400 million in funding for the Afghanistan Infrastructure Fund. I support this cut not because I am opposed to providing humanitarian aid to other countries. To the contrary, I am very supportive of helping improve living conditions and human rights in countries around the world by investing in infrastructure. However, I have strong concerns about this important work being directed by our armed forces because it raises the specter of the ''militarization'' of our foreign aid, which can often place troops, aid workers, and the civilian population at risk.

In a January 2010 report, eight international agencies expressed their concern that the militarization of aid in Afghanistan is putting ordinary Afghans at risk when they build schools and clinics, which then become targets of insurgents.

Additionally, many agencies say that these ''quick impact'' projects do not contribute to sustainable development, but instead are used as a good will building exercise by military forces engaged in a failing counterinsurgency strategy.

Under the current system, distribution of aid is heavily biased in favor of areas where the troop presence is strongest rather than distributed according to need. The needs of people in more secure areas and vulnerable populations, particularly Afghans displaced by the conflict and other factors as well as returnees, are being overlooked. We need to rethink our country's militarized approach to aid and shift our focus towards a long-term aid strategy based on meeting the real needs of Afghans.

As a first step in this process, I encourage my colleagues to support this amendment.

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

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

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

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

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

The Clerk will read.

The Clerk read as follows:

AFGHANISTAN SECURITY FORCES FUND

For the ''Afghanistan Security Forces Fund'', $11,619,283,000, to remain available until September 30, 2012: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That up to $15,000,000 of these funds may be available for coalition police trainer life support costs: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of $20,000,000: *Provided further*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13

(111th Congress), the concurrent resolution on the budget for fiscal year 2010.

IRAQ SECURITY FORCES FUND

For the ''Iraq Security Forces Fund'', $1,500,000,000, to remain available until September 30, 2012: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, United States Forces-Iraq, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Iraq, including the provision of equipment, supplies, services, training, facility and infrastructure repair, and renovation: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund and used for such purposes: *Provided further*, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of $20,000,000: *Provided further*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

AMENDMENT NO. 237 OFFERED BY MR. HOLT

Mr. HOLT. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 131, line 24, after the dollar amount, insert ''(reduced by $1,500,000,000)''.

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

Mr. HOLT. Mr. Chairman, I offer an amendment to eliminate the $1.5 billion in funding for the Iraqi Security Forces Fund.

If we are going to be cutting Pell Grants and energy research and heating assistance for families here in the United States, we certainly should take a hard look at Pentagon spending as well. Would taxpayers want their dollars to go to pay for Iraqi police on the streets of Baghdad when we are cutting funding for police in Trenton, New Jersey, and other cities and towns across our Nation? I want my colleagues to understand what the authors of H.R. 1 are proposing here today. It is about choices.

My colleagues, I am sure, could present a good justification for funding Iraq Security Forces. I certainly want to see the people of Iraq living in peace and freedom, free from harm, either domestic or foreign harm. However, the Government of Iraq has ample revenue from oil sales to pay for Iraq security. In contrast, our country faces not only a budget deficit, but critical unmet domestic needs, and this legislation before us today makes many, many unwise cuts.

H.R. 1 calls for spending $1.5 billion in taxpayer money to pay for foreign police officers in Iraq while simultaneously cutting $300 million for the highly successful COPS program here at home. The COPS program is vital. Our local police departments count on it to help them hire additional officers to combat crime in our communities and to provide true community policing. The contrast couldn't be more stark and absurd; have American taxpayers foot the bill for police in Baghdad but not for police in America.

H.R. 1 showcases the misguided priorities of the new majority. What are they thinking?

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

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to my colleague from New Jersey's amendment.

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

Mr. FRELINGHUYSEN. The Iraqi Security Forces Fund is required to enable the Iraqi Security Forces to reach minimum essential capabilities. These capabilities will allow those forces to maintain internal security with police forces in the lead and defense forces in support while building foundational capabilities for the Iraqi military forces to provide external defense prior to U.S. forces' departure on 31 December 2011.

This is our Nation's commitment, our President's commitment, our Commander-in-Chief's commitment. It is a bipartisan commitment. It is more than just this majority's commitment to see the departure of our U.S. forces in that time frame.

This Iraqi Security Forces Fund funds the following five categories:

Equipment purchases and transportation of equipment, weapons, ammunition, vehicles, communications gear and spare parts;

Infrastructure projects such as construction and improvements of police stations, military bases, training centers, maintenance facilities, and border enforcement facilities, among other infrastructure;

Training and operations projects and programs such as training school and maintenance facilities, vehicles for training centers, and training of security forces;

Sustainment of security forces through maintenance programs, human resources, information management systems, support service, and medical services;

Other activities such as detainee operations, disarmament, demobilization, and reintegration.

These are essential to speed our departure from Afghanistan. So, Mr. Chairman, I urge my colleagues to vote ''no'' on Mr. HOLT's amendment.

I yield back the balance of my time.

□ 2100

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

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

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

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

The Clerk will read.

The Clerk read as follows:

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $2,720,138,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MISSILE PROCUREMENT, ARMY

For an additional amount for ''Missile Procurement, Army'', $343,828,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $896,996,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $369,885,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $6,423,832,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $1,269,549,000, to remain

available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $90,502,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $558,024,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $316,835,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $1,589,119,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $1,991,955,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $56,621,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $292,959,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $2,868,593,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $1,262,499,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the reserve components of the Armed Forces, $850,000,000, to remain available for obligation until September 30, 2013, of which $250,000,000 shall be available only for the Army National Guard: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND

(INCLUDING TRANSFER OF FUNDS)

For the Mine Resistant Ambush Protected Vehicle Fund, $3,415,000,000, to remain available until September 30, 2012: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, to procure, sustain, transport, and field Mine Resistant Ambush Protected vehicles: *Provided further*, That the Secretary shall transfer such funds only to appropriations made available in this or any other Act for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That such transferred funds shall be merged with and be available for the same purposes and the same time period as the appropriation to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary shall, not fewer than 10 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $143,234,000, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $104,781,000, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $484,382,000, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $222,616,000, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $485,384,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $1,422,092,000, of which

$1,398,092,000 shall be for operation and maintenance, to remain available until September 30, 2011, and of which $24,000,000 shall be for research, development, test and evaluation, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $440,510,000, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Joint Improvised Explosive Device Defeat Fund'', $2,793,768,000, to remain available until September 30, 2013: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the ''Office of the Inspector General'', $10,529,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2011.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to $4,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2011.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance or the ''Afghanistan Security Forces Fund'' provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in Iraq and Afghanistan: (a) passenger motor vehicles up to a limit of $75,000 per vehicle and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed $500,000,000 of the amount appropriated in this title under the heading ''Operation and Maintenance, Army'' may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program (CERP), for the purpose of enabling military commanders in Iraq and Afghanistan to respond to urgent, small scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That projects (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed $20,000,000: *Provided further*, That not later than 45 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander's Emergency Response Program in Iraq and Afghanistan: *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of $5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Iraq and Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 9009. (a) The Secretary of Defense shall submit to the congressional defense committees not later than 45 days after the end of each fiscal quarter a report on the proposed use of all funds appropriated by this or any prior Act under each of the headings Iraq Security Forces Fund, Afghanistan Security Forces Fund, Afghanistan Infrastructure Fund, and Pakistan Counterinsurgency Fund on a project-by-project basis, for which the obligation of funds is anticipated during the 3-month period from such date, including estimates for the accounts referred to in this section of the costs required to complete each such project.

(b) The report required by this subsection shall include the following:

(1) The use of all funds on a project-by-project basis for which funds appropriated under the headings referred to in subsection (a) were obligated prior to the submission of the report, including estimates for the accounts referred to in subsection (a) of the costs to complete each project.

(2) The use of all funds on a project-by-project basis for which funds were appropriated under the headings referred to in subsection (a) in prior appropriations Acts, or for which funds were made available by transfer, reprogramming, or allocation from

other headings in prior appropriations Acts, including estimates for the accounts referred to in subsection (a) of the costs to complete each project.

(3) An estimated total cost to train and equip the Iraq, Afghanistan, and Pakistan security forces, disaggregated by major program and sub-elements by force, arrayed by fiscal year.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than $250,000: *Provided*, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than $500,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9011. Of the funds appropriated by this Act for the Office of the Director of National Intelligence, $3,375,000 is available, as specified in the classified annex, for transfer to other departments and agencies of the Federal Government.

SEC. 9012. (a) The Task Force for Business and Stability Operations in Afghanistan may, subject to the direction and control of the Secretary of Defense and with the concurrence of the Secretary of State, carry out projects in fiscal year 2011 to assist the commander of the United States Central Command in developing a link between United States military operations in Afghanistan under Operation Enduring Freedom and the economic elements of United States national power in order to reduce violence, enhance stability, and restore economic normalcy in Afghanistan through strategic business and economic opportunities.

(b) The projects carried out under paragraph (a) may include projects that facilitate private investment, industrial development, banking and financial system development, agricultural diversification and revitalization, and energy development in and with respect to Afghanistan.

(c) The Secretary may use up to $150,000,000 of the funds available for overseas contingency operations in ''Operation and Maintenance, Army'' for additional activities to carry out projects under paragraph (a).

Mr. FRELINGHUYSEN (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 154, line 14 be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 9013. (a) Not more than 85 percent of the funds provided in this title for Operation and Maintenance may be available for obligation or expenditure until the date on which the Secretary of Defense submits the report under subsection (b).

(b) Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on contractor employees in the United States Central Command, including—

(1) the number of employees of a contractor awarded a contract by the Department of Defense (including subcontractor employees) who are employed at the time of the report in the area of operations of the United States Central Command, including a list of the number of such employees in each of Iraq, Afghanistan, and all other areas of operations of the United States Central Command; and

(2) for each fiscal year quarter beginning on the date of the report and ending on September 30, 2012—

(A) the number of such employees planned by the Secretary to be employed during each such period in each of Iraq, Afghanistan, and all other areas of operations of the United States Central Command; and

(B) an explanation of how the number of such employees listed under subparagraph (A) relates to the planned number of military personnel in such locations.

This division may be cited as the ''Department of Defense Appropriations Act, 2011''.

AMENDMENT NO. 45 OFFERED BY MS. BALDWIN

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A, insert the following:

SEC. ____. Each amount made available by this division (other than an amount required to be made available by a provision of law) is hereby reduced by a pro rata amount so that the total reduction resulting from the application of this section is $1,000,000,000.

Page 287, line 12, after the dollar amount, insert ''(increased by $1,000,000,000)''.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentlewoman from Wisconsin is recognized for 5 minutes.

Ms. BALDWIN. Mr. Chairman, I rise today in support of my amendment and in opposition to H.R. 1, the Republican bill to slash services to the American people—a measure that I believe threatens jobs and our fragile economic recovery.

I agree with my Republican colleagues that we must reduce the deficit and bring our budget into balance, but we must be smart about it. This bill harms the people who tend to our health, those who educate our children, and those who patrol our neighborhoods and protect our safety. This bill frustrates our economic recovery by making job training and career training unattainable for many Americans. Meanwhile, it does little to restrain excessive military spending or eliminate government handouts to Big Oil or eliminate tax breaks for multimillionaires.

Today, we spend millions of dollars each day in Afghanistan and Iraq, spending that is protected in the bill that is before us. At the same time, this Republican bill to slash services cuts Community Health Centers to the core. For those of you who are unfamiliar with the work of Community Health Centers, they provide essential health services to children and families who lack insurance and have extremely limited incomes. Community Health Centers provide a big bang for the buck. They tend to the health care needs of more than 17 million uninsured or underinsured men, women, and children in America each year.

The cut in the Republican bill before us is so deep that it will result in the elimination of services to more than half of the current capacity of Community Health Centers today to serve our neighbors. An estimated 127 new health centers in underserved areas will close across the United States. In some communities, patients with diabetes, heart disease, HIV and AIDS, pregnant women, and sick children will have nowhere to turn except perhaps emergency rooms ill-suited to their needs.

Thousands of health care workers in rural and urban underserved communities will lose their jobs. I've already heard from the Director of Community Health Centers in both Beloit and Janesville, Wisconsin. He let me know about the serious impact this slash of funding will have on thousands in just one Wisconsin county.

Mr. Chairman, my amendment restores Community Health Center funding, but I pay for it with a commensurate cut in wasteful defense spending. I said at the outset we need to be smart if we are to cut spending without compromising our jobs, our economic recovery, and our future.

I agree with our President when he said, if we are to ''win the future,'' we must out-educate, out-innovate, and out-build the rest of the world. But we can't do that by cutting Pell Grants for students and slashing the research budgets of the National Institutes of Health, the National Science Foundation, and the Department of Energy.

This unwise bill jeopardizes our Nation's recovery and future. And it's particularly troublesome to me this week because it falls on top of efforts by Wisconsin's Governor to cut health, education, and public safety services and to diminish the rights of the public servants who provide them.

Mr. Chairman, I stand here today in solidarity with my fellow Wisconsinites as I fight for a better future for all Wisconsinites and all Americans. I urge an ''aye'' vote on my amendment and a ''no'' vote on H.R. 1.

Mr. DICKS. Will the gentlewoman yield?

Ms. BALDWIN. I yield to the gentleman from Washington.

Mr. DICKS. I just want to say that I share your enthusiasm for Community Health Centers. I've seen them all across my district. They are wonderful. We're going to have to keep fighting for them.

Ms. BALDWIN. I thank the gentleman.

I yield back the balance of my time.

POINT OF ORDER

The Acting CHAIR. The gentleman from New Jersey will state his point of order.

Mr. FRELINGHUYSEN. Mr. Chairman, the amendment is proposed to amend portions of the bill not yet read.

The amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment proposes to transfer between subcommittees.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to be heard on the point of order?

Ms. BALDWIN. Mr. Chairman, I do rise to be heard on the point of order.

Mr. Chairman, here are the rules of the House for the 112th Congress. Accompanying it, we also have something called H. Res. 92. Oftentimes when we get to the floor, we talk in inside-the-Beltway language that's really hard, I think, for the American public to follow. But I just want to make clear that H. Res. 92 is a document drafted by the Republicans to govern debate on this bill, and this bill only. But our House rules specifically allow an amendment such as the one that I have presented to this body and was just debating a moment ago on the House floor. And I think it's a wise rule because it really helps us pay as we go.

The Acting CHAIR. The gentlewoman's remarks must be confined to the point of order.

Ms. BALDWIN. The underlying House rules specifically permit an amendment such as the one I've offered and earlier debated in front of this body because it allows us to cut spending in one area in order to restore services or programs of greater priority in another. In other words, it aids us in our job to pay as we go.

The Acting CHAIR. The gentlewoman's remarks must be confined to the point of order.

Ms. BALDWIN. Under the rules of this House, my amendment would be fine. In the House Resolution 92, to which the gentleman referred, which governs simply the debate that we're engaged in this evening, it waives the rule of the House. It waives the rule of the House, the people's House. So I just want to make it clear—I think I know how the Chairman will end up ruling—but that this is the Republicans' will that I cannot advance this amendment and not because of the underlying rules of this House.

The Acting CHAIR. Does any other Member wish to be heard?

To be considered en bloc pursuant to clause 2(f) of rule XXI, an amendment must propose only to transfer appropriations among objects in the bill. Because the amendment offered by the gentlewoman from Wisconsin proposes also another kind of change in the bill; namely, to reach back in the reading, it may not avail itself of clause 2(f) to address portions of the bill not yet read.

The point of order is sustained.

The Clerk will read.

The Clerk read as follows:

DIVISION B—FULL-YEAR CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2011

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2011, and for other purposes, namely:

TITLE I—GENERAL PROVISIONS

SEC. 1101. (a) Such amounts as may be necessary, at the level specified in subsection (c) and under the authority and conditions provided in applicable appropriations Acts for fiscal year 2010, for projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (Public Law 111–80).

(2) The Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85).

(3) The Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83).

(4) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010 (division A of Public Law 111–88).

(5) The Legislative Branch Appropriations Act, 2010 (division A of Public Law 111–68).

(6) The Consolidated Appropriations Act, 2010 (Public Law 111–117).

(7) Section 102(c) (except the last proviso relating to waiver of fees) of chapter 1 of title I of the Supplemental Appropriations Act, 2010 (Public Law 111–212) that addresses guaranteed loans in the rural housing insurance fund.

(8) The appropriation under the heading ''Department of Commerce—United States Patent and Trademark Office'' in the United States Patent and Trademark Office Supplemental Appropriations Act, 2010 (Public Law 111–224).

(b) For purposes of this division, the term ''level'' means an amount.

(c) The level referred to in subsection (a) shall be the amounts appropriated in the appropriations Acts referred to in such subsection, including transfers and obligation limitations, except that—

(1) such level shall not include any amount previously designated as an emergency requirement and necessary to meet emergency needs pursuant to sections 403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010; and

(2) such level shall be calculated without regard to any rescission or cancellation of funds or contract authority.

SEC. 1102. Appropriations made by section 1101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 1103. Appropriations provided by this division that, in the applicable appropriations Act for fiscal year 2010, carried a multiple-year or no-year period of availability shall retain a comparable period of availability.

SEC. 1104. Except as otherwise expressly provided in this division, the requirements, authorities, conditions, limitations, and other provisions of the appropriations Acts referred to in section 1101(a) shall continue in effect through the date specified in section 1106.

SEC. 1105. No appropriation or funds made available or authority granted pursuant to section 1101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were specifically prohibited during fiscal year 2010.

SEC. 1106. Unless otherwise provided for in this division or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this division shall be available through September 30, 2011.

SEC. 1107. Expenditures made pursuant to the Continuing Appropriations Act, 2011 (Public Law 111–242), shall be charged to the applicable appropriation, fund, or authorization provided by this division.

SEC. 1108. Funds appropriated by this division may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 1109. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2010, and for activities under the Food and Nutrition Act of 2008, the levels established by section 1101 shall be the amounts necessary to maintain program levels under current law and under the authority and conditions provided in the applicable appropriations Acts for fiscal year 2010.

(b) In addition to the amounts otherwise provided by section 1101, the following amounts shall be available for the following accounts for advance payments for the first quarter of fiscal year 2012:

(1) ''Department of Labor, Employment Standards Administration, Special Benefits for Disabled Coal Miners'', for benefit payments under title IV of the Federal Mine Safety and Health Act of 1977, $41,000,000, to remain available until expended.

(2) ''Department of Health and Human Services, Centers for Medicare and Medicaid Services, Grants to States for Medicaid'', for payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act, $86,445,289,000, to remain available until expended.

(3) ''Department of Health and Human Services, Administration for Children and Families, Payments to States for Child Support Enforcement and Family Support Programs'', for payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), $1,200,000,000, to remain available until expended.

(4) ''Department of Health and Human Services, Administration for Children and Families, Payments to States for Foster Care and Permanency'', for payments to States or other non-Federal entities under title IV–E of the Social Security Act, $1,850,000,000.

(5) ''Social Security Administration, Supplemental Security Income Program'', for benefit payments under title XVI of the Social Security Act, $13,400,000,000, to remain available until expended.

SEC. 1110. Amounts incorporated by reference in this division that were previously designated as available for overseas deployments and other activities pursuant to S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, are designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress).

SEC. 1111. Any language specifying an earmark in an appropriations Act for fiscal year 2010, or in a committee report or joint explanatory statement accompanying such an Act, shall have no legal effect with respect to funds appropriated by this division. For purposes of this section, the term ''earmark''

means a congressional earmark or congressionally directed spending item, as defined in clause 9(e) of rule XXI of the Rules of the House of Representatives and paragraph 5(a) of rule XLIV of the Standing Rules of the Senate.

SEC. 1112. Notwithstanding section 1101, none of the funds appropriated or otherwise made available in this division or any other Act (including division A of this Act) may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 1113. (a)(1) Notwithstanding section 1101, except as provided in paragraph (2), none of the funds appropriated or otherwise made available in this division or any other Act (including division A of this Act) may be used to transfer any individual detained at Guantanamo to the custody or effective control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress the certification described in subsection (b) by not later than 30 days before the transfer of the individual.

(2) Paragraph (1) shall not apply to any action taken by the Secretary of Defense to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction. The Secretary of Defense shall notify Congress promptly upon issuance of any such order.

(b) The certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State, that the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(1) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(2) maintains effective control over each detention facility in which an individual is to be detained if the individual is to be housed in a detention facility;

(3) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(4) has agreed to take effective steps to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(5) has taken such steps as the Secretary determines are necessary to ensure that the individual cannot engage or re-engage in any terrorist activity; and

(6) has agreed to share any information with the United States that—

(A) is related to the individual or any associates of the individual; and

(B) could affect the security of the United States, its citizens, or its allies.

(c)(1) Except as provided in paragraph (3), none of the funds appropriated or otherwise made available in this division or any other Act (including division A of this Act) may be used to transfer any individual detained at Guantanamo to the custody or effective control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to the foreign country or entity and subsequently engaged in any terrorist activity.

(2) The Secretary of Defense may waive the prohibition in paragraph (1) if the Secretary determines that such a transfer is in the national security interests of the United States and includes, as part of the certification described in subsection (b) relating to such transfer, the determination of the Secretary under this paragraph.

(3) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction. The Secretary shall notify Congress promptly upon issuance of any such order.

(d) For the purposes of this section:

(1) The term ''individual detained at Guantanamo'' means any individual who is located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the effective control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(2) The term ''foreign terrorist organization'' means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 1114. (a) Notwithstanding section 1101, none of the funds appropriated or otherwise made available by this division or any other Act (including division A of this Act) may be used to construct or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1115. None of the funds appropriated or otherwise made available by this division or any other Act (including division A of this Act) may be obligated by any covered executive agency in contravention of the certification requirement of section 6(b) of the Iran Sanctions Act of 1996, as included in the revisions to the Federal Acquisition Regulation pursuant to such section.

SEC. 1116. Section 550(b) of Public Law 109–295, as amended by section 550 of Public Law 111–83, shall be applied by substituting the date specified in section 1106 of this division for ''October 4, 2010''.

SEC. 1117. Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)) shall be applied by substituting the date specified in section 1106 of this division for ''September 30, 2010''.

SEC. 1118. (a) Section 1115(d) of Public Law 111–32 shall be applied by substituting the date specified in section 1106 of this division for ''October 1, 2010''.

(b) Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) shall be applied by substituting the date specified in section 1106 of this division for ''October 1, 2010'' in paragraph (2).

(c) Section 61(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2733(a)) shall be applied by substituting the date specified in section 1106 of this division for ''October 1, 2010'' in paragraph (2).

(d) Section 625(j)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by substituting the date specified in section 1106 of this division for ''October 1, 2010'' in subparagraph (B).

SEC. 1119. The authority provided by section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) shall remain in effect through the date specified in section 1106 of this division.

SEC. 1120. The provisions of title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11311 et seq.) shall continue in effect, notwithstanding section 209 of such Act, through the earlier of: (1) the date specified in section 1106 of this division; or (2) the date of the enactment into law of an authorization Act relating to the McKinney-Vento Homeless Assistance Act.

TITLE II—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES

SEC. 1201. Notwithstanding section 1101, the level for ''Agricultural Programs, Office of the Secretary'' shall be $5,061,000.

SEC. 1202. Notwithstanding section 1101, the level for ''Agricultural Programs, Office of Tribal Relations'' shall be $0.

SEC. 1203. Notwithstanding section 1101, the level for ''Agricultural Programs, Executive Operations, Office of Chief Economist'' shall be $10,032,000.

SEC. 1204. Notwithstanding section 1101, the level for ''Agricultural Programs, Executive Operations, National Appeals Division'' shall be $14,711,000.

SEC. 1205. Notwithstanding section 1101, the level for ''Agricultural Programs, Executive Operations, Office of Budget and Program Analysis'' shall be $9,054,000.

SEC. 1206. Notwithstanding section 1101, the level for ''Agricultural Programs, Office of Advocacy and Outreach'' shall be $0.

SEC. 1207. Notwithstanding section 1101, the level for ''Agricultural Programs, Office of the Chief Information Officer'' shall be $17,000,000.

SEC. 1208. Notwithstanding section 1101, the level for ''Agricultural Programs, Office of the Chief Financial Officer'' shall be $5,954,000.

SEC. 1209. Notwithstanding section 1101, the level for ''Agricultural Programs, Office of Civil Rights'' shall be $21,551,000.

SEC. 1210. Notwithstanding section 1101, the level for ''Agricultural Programs, Agriculture Buildings and Facilities and Rental Payments'' shall be $259,751,000, of which $178,470,000 shall be available for payments to the General Services Administration for rent and of which $37,781,000 shall be for buildings operations and maintenance expenses.

SEC. 1211. Notwithstanding section 1101, the level for ''Agricultural Programs, Hazardous Materials Management'' shall be $0.

SEC. 1212. Notwithstanding section 1101, the level for ''Agricultural Programs, Departmental Administration'' shall be $30,706,000.

SEC. 1213. Notwithstanding section 1101, the level for ''Agricultural Programs, Office of the Assistant Secretary for Congressional Relations'' shall be $3,877,000.

SEC. 1214. Notwithstanding section 1101, the level for ''Agricultural Programs, Office of Communications'' shall be $9,514,000.

SEC. 1215. Notwithstanding section 1101, the level for ''Agricultural Programs, Office of the Inspector General'' shall be $80,000,000.

SEC. 1216. Notwithstanding section 1101, the level for ''Agricultural Programs, Office of the General Counsel'' shall be $39,620,000.

SEC. 1217. Notwithstanding section 1101, the level for ''Agricultural Programs, Economic Research Service'' shall be $79,500,000.

SEC. 1218. Notwithstanding section 1101, the level for ''Agricultural Programs, National Agricultural Statistics Service'' shall be $151,565,000: *Provided*, That the amounts included under such heading in Public Law 111–80 shall be applied to funds appropriated by this division by substituting ''$33,494,000'' for ''$37,908,000''.

□ 2120

Mr. KINGSTON. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 172, line 21 be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The text of that portion of the bill is as follows:

SEC. 1219. Notwithstanding section 1101, the level for ''Agricultural Programs, Agricultural Research Service, Salaries and Expenses'' shall be $1,065,406,000.

SEC. 1220. Notwithstanding section 1101, the level for ''Agricultural Programs, Agricultural Research Service, Buildings and Facilities'' shall be $0.

SEC. 1221. Notwithstanding section 1101, the level for ''Agricultural Programs, National Institute of Food and Agriculture, Research and Education Activities'' shall be $647,993,000: *Provided*, That the amounts included under such heading in Public Law 111–80 shall be applied to funds appropriated by this division as follows: by substituting ''$221,763,000'' for ''$215,000,000''; by substituting ''$34,816,000'' for ''$29,000,000''; by substituting ''$51,000,000'' for ''$48,500,000''; by substituting ''$227,801,000'' for ''$216,482,000''; by substituting ''$0'' for ''$89,029,000''; by substituting ''$20,500,000'' for ''$18,250,000''; and by substituting ''$11,253,000'' for ''$45,122,000''.

SEC. 1222. Notwithstanding section 1101, the level for ''Agricultural Programs, National Institute of Food and Agriculture, Extension Activities'' shall be $453,265,000: *Provided*, That the amounts included under such heading in Public Law 111–80 shall be applied to funds appropriated by this division as follows: by substituting ''$267,673,000'' for ''$297,500,000'' and by substituting ''$8,565,000'' for ''$20,396,000''.

The CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 1223. Notwithstanding section 1101, the level for ''Agricultural Programs, National Institute of Food and Agriculture, Integrated Activities'' shall be $24,874,000: *Provided*, That the amounts included under such heading in Public Law 111–80 shall be applied to funds appropriated by this division as follows: by substituting ''$15,044,000'' for ''$45,148,000''; by substituting ''$10,948,000'' for ''$12,649,000''; by substituting ''$0'' for ''$14,596,000''; by substituting ''$0'' for ''$4,388,000''; by substituting ''$0'' for ''$1,365,000''; by substituting ''$0'' for ''$3,054,000''; by substituting ''$0'' for ''$5,000,000''; by substituting ''$0'' for ''$3,000,000''; by substituting ''$0'' for ''$732,000''; and by substituting ''$0'' for ''$1,312,000''.

AMENDMENT NO. 97 OFFERED BY MR. DEFAZIO

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 172, line 25, after the dollar amount, insert ''(increased by $5,000,000)''.

Page 173, line 8, after the first dollar amount, insert ''(increased by $5,000,000)''.

Page 173, line 14, after the dollar amount, insert ''(reduced by $5,000,000)''.

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

Mr. DEFAZIO. At this point, Mr. Chair, I would like to bring to the attention of the Congress that we're about to eliminate a program which is incredibly cost effective, which truly supports a growing proportion of profitable small family farms in America, which is to help with research and transition to organic production.

In the most recent statistics, the organic sector of the agriculture production in this country was nearly $27 billion. That's up from $4 billion in 1997. There are over 14,500 family farms engaged in organic agriculture, and they have been experiencing dramatic increases. Now you might say, well, why would we want to continue to research and help them. Well, we're spending a tremendous amount of money in research and subsidies on other crops which are obviously totally developed and do not need assistance.

In this case, we're talking about many people who own struggling family farms who want to convert. They're interested in moving to organics because they know there is potential for higher profitability with those products with dramatically increasing demand. In fact, the USDA says that the average for small—these are truly small farms, not what some people consider small farms—organic farms was $46,000 last year and for all farms, small farms, was $26,000.

So there are many people who are engaged in truly small farming activities who want to stay on the land, don't want to parcel it up, don't want to sell to the developers. They want to continue to live there, raise their kids there, but they're having trouble making ends meet. And this is an opportunity for many folks, an opportunity both for consumers who are demanding organically produced produce and for producers, and I think it would be very shortsighted to zero out this program at this point in time.

So I'm asking that we take a very small percentage of the APHIS budget, well less than 1 percent, and at least on a temporary measure restore the cuts to the transitional and organic research portion of the budget in the hope that we can reach agreement on a sustainable way to fund this program in the future and look at more equitable distribution of funds, both for research and subsidies and other things that go on in the Department of Agriculture.

The amount of money we're asking for here at $5 million is a tiny fraction of 1 percent of the amount of money that we're spending on subsidies for five crops in eight States to pay people not to grow things. Now, I think to actually help people to grow things, to grow healthy produce, to supply the American people, to be able to live on their farms, support their families and pass on the farms to the next generation, that this would be a very, very wise investment, and I wish that this had not been chosen for a cut. I'm hopeful that my colleagues will see the wisdom in restoring this cut and then looking in the next farm bill or in the next appropriation to an equitable division of these funds.

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

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

Mr. KINGSTON. Mr. Chairman, I rise to oppose the amendment, although I know the two authors of this amendment are very sincere about it, and I think that they are underscoring something that we want to encourage people to be organic farmers.

But if you consider that organic farming is a $25 to $27 billion industry—in fact, my friend Mr. DEFAZIO just used the number $27 billion—it is a successful ongoing and growing industry already, and I do not believe that we need to continue the transition subsidy program to get more farmers in it. American farmers know where the profit is. They follow the commodity. The commodity follows the profit. They get into an area where it is going to be most profitable already.

But I'm also concerned that the Animal and Plant Health Inspection Service has already been cut $38 million, and this is a service that enforces animal welfare, pest, and diseases. It is very important to all farmers. It is cut at this point 4.3 percent, and I hate to see an additional $5 million taken out of it.

So while I have sympathy for what the gentlemen are trying to do—and I know that they are great advocates for organic farmers—I oppose the amendment at this time.

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

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

Mr. HOLT. Our colleagues may recall that Mr. DEFAZIO and I and others offered essentially this amendment in fiscal year 2007 and it passed, demonstrating the strong bipartisan support in this House for an increase in funding in this program. The $5 million funding level, however, although it was preserved until now, has been completely eliminated by this continuing resolution. In other words, both sides of this aisle have felt that this is worthwhile spending.

Despite the worst economic downturn we've experienced since the Depression, the market for organic consumer products grew more than 5 percent in the past year, well several times the growth of conventional food sales, and growth in organic nonfood items was even more pronounced, increasing more than 9 percent as compared to 1 percent in conventional nonfood items.

Now, my friend who just spoke in opposition to the legislation, Mr. KINGSTON, said, well, it's a booming industry, why do we need to do this? Well, transition from nonorganic farming to organic farming is a big step, especially for a small farm, and although there are more than 13,000 certified organic producers in the United States, that's not enough. We still need to help farmers make the transition to organic farming, and this program does more than help them make transition. It helps build an understanding of best practice.

The organic transition program is a highly competitive grants program. It's been extremely important to the organic farming community. It funds research to assist the farmers in overcoming the barriers to make the transition and, as I say, to understand organic farming. Through grants awarded under this program, for example, projects were funded at Ohio State to study the impact of organic animal production on water quality or grafting to improve organic vegetable production. The small farmers don't have the opportunity to do this research as they are facing the big step of whether to make the transition to organic farming.

□ 2130

At the University of Minnesota, this competitive grants program facilitated organic poultry production and helped achieve soybean aphid suppression using a fall-seeded rye cover crop. In other words, the organic industry really benefits from this.

We should be talking about job creation. The bill before us today, as it appears, will cost hundreds of thousands of jobs—cost hundreds of thousands of jobs. It will end hundreds of thousands of jobs. We should focus our resources on industries that are growing and providing jobs. This quite small restoration of funds, $5 million, would do a great deal for the quality of life of farmers but also for jobs in America.

I urge my colleagues to support this amendment to restore $5 million to the organic transitions program.

I yield back the balance of my time.

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

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

Mr. FARR. Mr. Chair, I was going to speak on this, but let me tell you why I changed my mind. First of all, I represent the largest number of organic growers in the United States and the headquarters of Earthbound Farm, which is the largest shipper of organic produce in the United States. And what concerns me is that you totally wiped out the program, zeroed it out.

It is organic transition grants. One, they are competitive because they are grants. Two, it's about people transitioning from traditional agriculture, which is agriculture that uses pesticides, herbicides, and so on, into organic, where you have to lay your land fallow, which means that you can't, for 3 years, use any of those fumigants on your land. That is what this money goes to, to help you transition.

It is not major agriculture that needs these transition grants. It's the really small farmer who finds, as was stated previously, an organic niche that they want to sell to, and they need some assistance both in research and how do you get certified. Because in order to be organic, you have to go out there and have people test everything and be certified as organic before you are allowed to use the ''organic'' label on your marketing.

So it's a small amount of money, but to zero it out I think is just going too far. I support the amendment.

I yield back the balance of my time.

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

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

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

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

The Clerk will read.

The Clerk read as follows:

SEC. 1224. Notwithstanding section 1101, the level for ''Agricultural Programs, Animal and Plant Health Inspection Service, Salaries and Expenses'' shall be $829,953,000: *Provided*, That the amounts included under such heading in Public Law 111–80 shall be applied to funds appropriated by this division by substituting ''$45,219,000'' for ''$60,243,000''.

SEC. 1225. Notwithstanding section 1101, the level for ''Agricultural Programs, Agricultural Marketing Service, Marketing Services'' shall be $81,711,000.

SEC. 1226. Notwithstanding section 1101, the level for ''Agricultural Programs, Agricultural Marketing Service, Limitation on Administrative Expenses'' shall be $60,947,000 (from fees collected).

SEC. 1227. The amounts included under the heading ''Agricultural Programs, Agricultural Marketing Service, Funds for Strengthening Markets, Income, and Supply (Section 32)'' in Public Law 111–80 shall be applied to funds appropriated by this division by substituting ''$0'' for ''$10,000,000''.

SEC. 1228. Notwithstanding section 1101, the level for ''Agricultural Programs, Grain Inspection, Packers and Stockyards Administration, Salaries and Expenses'' shall be $40,342,000.

SEC. 1229. Notwithstanding section 1101, the level for ''Agricultural Programs, Grain Inspection, Packers and Stockyards Administration, Limitation on Inspection and Weighing Services Expenses'', $45,041,000.

SEC. 1230. Notwithstanding section 1101, the level for ''Agricultural Programs, Food Safety and Inspection Service'' shall be $930,120,000.

AMENDMENT NO. 93 OFFERED BY MR. CONNOLLY OF VIRGINIA

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 174, line 17, after the dollar amount, insert ''(reduced by $200,000,000)''.

Page 347, strike lines 8 through 10.

Mr. KINGSTON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from Virginia is recognized for 5 minutes.

Mr. CONNOLLY of Virginia. Mr. Chairman, I offer this amendment on behalf of myself, Mr. HOYER, Mr. MORAN, Ms. EDWARDS, and Mr. VAN HOLLEN.

In his final term in Congress, my Republican predecessor Tom Davis helped broker an agreement to boost Metro funding by the Federal, State, and local governments. Under this agreement, the Federal Government would invest $150 million annually, to be matched by Virginia, Maryland, and the District of Columbia. This investment is essential for our region, as it has provided WMATA with funding to begin fixing the safety problems identified by the National Transportation Safety Board, which will cost over $1 billion, cumulatively. It also is essential for the Federal Government to function efficiently, even as the Federal Government fails to pay its fair share compared to local and State funding for Metro. Finally, unlike any other transit system in America, our Metro system serves 12 million tourists annually who come to visit their Nation's Capital.

The Federal Government relies on a functional Metro system. Mr. Chairman, over half of all Metro stations serve Federal offices, and 40 percent of the entire Federal workforce uses Metro to get to work every day. As Congress, itself, noted when passing the National Capital Region Transportation Act in 1960, ''An improved transportation system of the National Capital Region is essential to the continued and effective performance of the functions of the Government of the United States.''

From September 11 to the blizzards of last year, we have learned through hard experience that Metro is essential to move people both through severe weather and emergencies in our region.

President Obama included the $150 million that my Republican predecessor's authorization bill called for in his budget, but the Republican leadership removed it in this continuing resolution.

Perhaps my newer colleagues have not yet had a chance to visit northern

Virginia, where the Metrorail extension to Dulles Airport is spurring billions of dollars in private investment while providing thousands of jobs for the construction workers building the rail line. If my colleagues had visited this project, they might hesitate to eliminate investments like this, which will be repaid many times over by subsequent private investment.

In recognition of the importance of this Metro funding, I introduced an amendment on behalf of my colleagues and myself to restore $150 million in Federal funding which would be matched by State governments. To offset this expense and reduce the deficit, I have proposed offsetting the expense by cutting direct payments to large agribusiness.

As we debate this bill, there are people at work building rail to Dulles; and if the Republican majority succeeds in passing appropriations bills such as this, those transportation projects, jobs, and real estate investments will be a thing of the past. One step we can take to reduce the damage done by this CR is to restore this critical Metro funding.

Mr. HOYER. Mr. Chair, I rise today to support the intent of the Connolly Amendment which seeks to restore $150 million in dedicated Federal funding to "America's Subway"—the Washington Metro—which is otherwise eliminated under the Republican Continuing Resolution.

The Washington Metropolitan Area Transit Authority (WMATA) operates the country's second largest rail system. Every day, that system carries more than a million people—from the Federal employees who keep our government running, to the families from across the country who come to visit their nation's capital. Clearly, the system warrants a strong commitment from the Federal Government.

In 2009, we passed, and the President signed, legislation that provides $1.5 billion in Federal dedicated funding to WMATA over the next 10 years to help meet the capital and infrastructure needs of the 30-year old system. The first installment of this funding—which is being matched by the District of Columbia, Virginia, and Maryland—was appropriated in Fiscal 2010.

This investment is, first and foremost, being used to move forward with the implementation of the recommendations of the National Transportation Safety Board following the horrific Red Line crash which tragically killed 9 people and injured many more. This includes the purchase of the new series 7000 rail cars to replace the oldest cars in the fleet. This funding will also enable Metro to rebuild its core infrastructure, replacing miles of track, switches and fasteners, maintenance work that will help to build a safer, more reliable system.

Eliminating this funding will cause the Federal Government to renege on its statutory commitment to the Metro system, endangers the local match, hampers the ability of Metro to make much needed safety and capital improvements, and puts at risk countless tourists and commuters who ride Metro every day. I urge my colleagues to restore this critical investment in the Washington Metro System.

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

POINT OF ORDER

Mr. KINGSTON. Mr. Chairman, I have a point of order.

The Acting CHAIR. The gentleman will state the point of order.

Mr. KINGSTON. Mr. Chairman, the amendment proposes to amend portions of the bill not yet read. The amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment proposes a transfer of funds between the subcommittees.

Here's what's going on: You are mixing your operating and your capital funds on this particular account, and this committee does not have jurisdiction over those accounts. And I want to point out that the subcommittee has worked very hard to balance all these very difficult cuts. We're trying to work within our 302(b) allocations. We're in a situation right now, for every dollar that we spend as a U.S. Government, 40 cents is borrowed.

The Acting CHAIR. If the gentleman would confine his remarks to his point of order first.

Mr. KINGSTON. I am speaking to the point of order, and I ask for a ruling of the Chair.

□ 2140

The Acting CHAIR. Does anyone wish to be heard on the point of order?

Mr. CONNOLLY of Virginia. Mr. Chairman, I deeply regret that my colleague would invoke a point of order. As I said, the Metro funding, in this case, talks about difficult decisions. This zeros out the entire Federal amount of subsidy for capital construction and safety improvements from a system that is over 30 years old, reaching capacity, and serves, first and foremost, the Federal workforce.

The Acting CHAIR. Will the gentleman confine his remarks to the point of order.

Mr. CONNOLLY of Virginia. Oh, I thought I was speaking to the point of order and the points made by our colleagues.

The Acting CHAIR. Remarks need to be in reference to the point of order, not the amendment.

Mr. CONNOLLY of Virginia. As I said, Mr. Chairman, I deeply regret the fact that my colleague would cite a point of order on a bill of such importance to the National Capital region.

The Acting CHAIR. Does anyone else wish to be heard?

To be considered en bloc, pursuant to clause 2(f) of rule XXI and section 2 of House Resolution 92, an amendment must propose only to transfer appropriations among objects in the bill and may not address objects within more than one sub-allocation made by the Committee on Appropriations under section 302(b) of the Congressional Budget Act of 1974.

Because the amendment offered by the gentleman from Virginia proposes to transfer appropriations between objects falling within more than one sub-allocation, it may not avail itself of clause 2(f) of rule XXI to address portions of the bill not yet read.

The amendment is not in order.

The Clerk will resume reading the bill.

The Clerk read as follows:

SEC. 1231. Notwithstanding section 1101, the level for "Agricultural Programs, Farm Service Agency, Salaries and Expenses" shall be $1,063,558,000.

SEC. 1232. Notwithstanding section 1101, the level for "Agricultural Programs, Farm Service Agency, Grassroots Source Water Protection Program" shall be $4,630,000.

SEC. 1233. The amounts included under the heading "Agricultural Programs, Farm Service Agency, Agricultural Credit Insurance Fund Program Account" in Public Law 111–80 shall be applied to funds appropriated by this division as follows: by substituting "$1,975,000,000" for "$2,150,000,000"; by substituting "$475,000,000" for "$650,000,000"; by substituting "$2,544,035,000" for "$2,670,000,000", by substituting "$900,000,000" for "$1,000,000,000"; by substituting "$144,035,000" for "$170,000,000"; by substituting "$0" for "$3,940,000"; by substituting "$110,602,000" for "$150,000,000"; by substituting "$0" for "$75,000,000" the first and second place it appears; by substituting "$0" for "$10,000,000"; by substituting "$38,570,000" for "$32,070,000"; by substituting "$32,870,000" for "$26,520,000"; by substituting "$109,410,000" for "$106,402,000"; by substituting "$34,950,000" for "$35,100,000"; by substituting "$19,920,000" for "$23,902,000"; by substituting "$54,540,000" for "$47,400,000"; by substituting "$0" for "$1,065,000"; by substituting "$0" for "$278,000"; by substituting "$0" for "$793,000"; by substituting "$318,508,000" for "$321,093,000", and by substituting "$305,588,000" for "$313,173,000". Funds appropriated by this division to such heading for farm ownership, operating and conservation direct loans, and guaranteed loans may be transferred among these programs: *Provided*, That the Secretary of Agriculture shall notify the Committees on Appropriations of the House of Representatives and the Senate at least 15 days in advance of any transfer.

SEC. 1234. Notwithstanding section 1101, the level for "Agricultural Programs, Risk Management Agency" shall be $77,177,000.

SEC. 1235. Notwithstanding section 1101, the level for "Conservation Programs, Natural Resources Conservation Service, Conservation Operations" shall be $836,000,000.

SEC. 1236. Notwithstanding section 1101, the level for "Conservation Programs, Natural Resources Conservation Service, Watershed and Flood Prevention Operations" shall be $0.

SEC. 1237. Notwithstanding section 1101, the level for "Conservation Programs, Natural Resources Conservation Service, Watershed Rehabilitation Program" shall be $20,000,000.

SEC. 1238. Notwithstanding section 1101, the level for "Conservation Programs, Natural Resources Conservation Service, Resource Conservation and Development" shall be $0.

SEC. 1239. Notwithstanding section 1101, the level for "Rural Development Programs, Rural Development Salaries and Expenses" shall be $181,987,000.

SEC. 1240. The amounts included under the heading "Rural Development Programs, Rural Housing Service, Rural Housing Insurance Fund Program Account" in Public Law 111–80 for gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949 shall be applied to funds appropriated by this division by substituting "$34,004,000" for "$34,412,000" and by substituting, "$5,052,000" for "$5,045,000".

SEC. 1241. Notwithstanding section 1101, the level for ''Rural Development Programs, Rural Housing Service, Rural Housing Insurance Fund Program Account'' for the cost of direct and guaranteed loans, including the cost of modifying loans, authorized by section 502 of the Housing Act of 1949 shall be $70,200,000: *Provided*, That the amounts included for such costs under such heading in Public Law 111–80 shall be applied to funds appropriated by this division by substituting ''$70,200,000'' for ''$40,710,000'' in the case of direct loans and by substituting ''$0'' for ''$172,800,000'' in the case of unsubsidized guaranteed loans.

SEC. 1242. Notwithstanding section 1101, the level for ''Rural Development Programs, Rural Housing Service, Rural Housing Insurance Fund Program Account'' for the cost of housing repair loans authorized by section 504 of the Housing Act of 1949 shall be $6,437,000.

SEC. 1243. Notwithstanding section 1101, the level for ''Rural Development Programs, Rural Housing Service, Rural Housing Insurance Fund Program Account'' for the cost of repair, rehabilitation, and new construction of rental housing authorized by section 515 of the Housing Act of 1949 shall be $23,446,000.

SEC. 1244. Notwithstanding section 1101, the level for ''Rural Development Programs, Rural Housing Service, Rural Housing Insurance Fund Program Account'' for the cost of multi-family housing guaranteed loans authorized by section 538 of the Housing Act of 1949 shall be $12,513,000.

SEC. 1245. In addition to amounts otherwise appropriated or made available by this division, there is appropriated to the Secretary of Agriculture $288,000 for section 523 self-help housing land development loans authorized by section 523 of the Housing Act of 1949 and $294,000 for site development loans authorized by section 524 of such Act.

SEC. 1246. Notwithstanding section 1101, the level for ''Rural Development Programs, Rural Housing Service, Rural Housing Insurance Fund Program Account'' for administrative expenses necessary to carry out the direct and guaranteed loan programs shall be $454,383,000.

SEC. 1247. Notwithstanding section 1101, the level for ''Rural Development Programs, Rural Housing Service, Rental Assistance Program'' shall be $955,635,000: *Provided*, That the amounts included under such heading in Public Law 111–80 shall be applied to funds appropriated by this division by substituting ''$0'' for ''$5,958,000''; by substituting ''$0'' for ''$50,000''; and by substituting ''$3,000,000'' for ''$3,400,000''.

SEC. 1248. Notwithstanding section 1101, the level for ''Rural Development Programs, Rural Housing Service, Multi-Family Housing Revitalization Program Account'' shall be $16,400,000: *Provided*, That only the first, second, and fourth provisos under such heading in Public Law 111–80, relating to rural housing vouchers to low-income households, shall apply to funds appropriated by this division and the third, fifth, and subsequent provisos under such heading shall not apply to funds appropriated by this division.

SEC. 1249. Notwithstanding section 1101, the level for ''Rural Development Programs, Rural Housing Service, Mutual and Self-Help Housing Grants'' shall be $37,000,000.

SEC. 1250. Notwithstanding section 1101, the level for ''Rural Development Programs, Rural Housing Service, Rural Housing Assistance Grants'' shall be $40,400,000.

SEC. 1251. Notwithstanding section 1101, the level for ''Rural Development Programs, Rural Housing Service, Rural Community Facilities Program Account'' shall be $32,450,000: *Provided*, That the amounts included under such heading in Public Law 111–80 shall be applied to funds appropriated by this division as follows: by substituting, ''$0'' for ''$6,256,000''; by substituting ''$0'' for ''$13,902,000''; and by substituting, ''$0'' for ''$3,972,000''.

SEC. 1252. Notwithstanding section 1101, the level for ''Rural Development Programs, Rural Business–Cooperative Service, Rural Business Program Account'' shall be $84,505,000: *Provided*, That the amounts included under such heading in Public Law 111–80 shall be applied to funds appropriated by this division as follows: by substituting, ''$0'' for ''$500,000''; and by substituting, ''$0'' for ''$250,000''.

SEC. 1253. Notwithstanding section 1101, the level for ''Rural Development Programs, Rural Business–Cooperative Service, Rural Development Loan Fund Program Account'' for the principal amount of direct loans as authorized by Rural Development Loan Fund shall be $21,936,000.

SEC. 1254. Notwithstanding section 1101, in connection with the ''Rural Development Programs, Rural Business–Cooperative Service, Rural Economic Development Loans Program Account'', of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, $207,000,000 shall not be obligated and $207,000,000 is rescinded.

SEC. 1255. Notwithstanding section 1101, the level for ''Rural Development Programs, Rural Business–Cooperative Service, Rural Cooperative Development Grants'' shall be $30,254,000: *Provided*, That the amounts included under such heading in Public Law 111–80 shall be applied to funds appropriated by this division as follows: by substituting ''$0'' for ''$300,000''; by substituting ''$0'' for ''$2,800,000''; and by substituting ''$18,867,000'' for ''$20,367,000''.

SEC. 1256. Notwithstanding section 1101, the level for ''Rural Development Programs, Rural Business–Cooperative Service, Rural Microenterprise Investment Program Account'' shall be $3,350,000.

SEC. 1257. Notwithstanding section 1101, the level for ''Rural Development Programs, Rural Business–Cooperative Service, Rural Energy for America Program'' shall be $25,010,000.

SEC. 1258. Notwithstanding section 1101, the level for ''Rural Development Programs, Rural Utilities Service, Rural Water and Waste Disposal Program Account'' shall be $405,564,000: *Provided*, That the amounts included under such heading in Public Law 111–80 shall be applied to funds appropriated by this division as follows: by substituting, ''$60,000,000'' for ''$70,00,000''; by substituting ''$5,000,000'' for ''$6,000,000''; and by substituting, ''$0'' for ''$17,500,000''.

SEC. 1259. Notwithstanding section 1101, the level for ''Rural Development Programs, Rural Utilities Service, Rural Electrification and Telecommunications Loans Program Account'' for administrative expenses necessary to carry out the direct and guaranteed loan programs shall be $38,374,000.

SEC. 1260. Notwithstanding section 1101, the level for ''Rural Development Programs, Rural Utilities Service, Distance Learning, Telemedicine, and Broadband Program'' shall be $30,000,000: *Provided*, That the amounts included under such heading in Public Law 111–80 shall be applied to funds appropriated by this division as follows: by substituting, ''$0'' for ''$4,500,000''; by substituting, ''$0'' for ''$28,960,000''; and by substituting, ''$13,406,000'' for ''$17,976,000''.

SEC. 1261. The amounts included under the heading ''Domestic Food Programs, Food and Nutrition Service, Child Nutrition Programs'' in Public Law 111–80 shall be applied to funds appropriated by this division by substituting ''$0'' for ''$1,000,000'' and by substituting ''$0'' for ''$5,000,000''.

SEC. 1262. Notwithstanding section 1101, the level for ''Domestic Food Programs, Food and Nutrition Service, Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)'' shall be $6,504,781,000.

SEC. 1263. Notwithstanding section 1101, the level for ''Domestic Food Programs, Food and Nutrition Service, Commodity Assistance Program'', shall be $241,979,000, of which $151,409,000 shall be for the Commodity Supplemental Food Program: *Provided*, That the amounts included under such heading in Public Law 111–80 shall be applied to funds appropriated by this division by substituting ''$0'' for ''$6,000,000''.

SEC. 1264. Notwithstanding section 1101, the level for ''Domestic Food Programs, Food and Nutrition Service, Nutrition Programs Administration'' shall be $144,801,000.

SEC. 1265. Notwithstanding section 1101, the level for ''Foreign Assistance and Related Programs, Foreign Agricultural Service, Salaries and Expenses'' shall be $165,436,000.

SEC. 1266. Notwithstanding section 1101, the level for ''Foreign Assistance and Related Programs, Foreign Agricultural Service, Food for Peace Title II Grants'' shall be $1,003,000,000.

SEC. 1267. Notwithstanding section 1101, the level for ''Foreign Assistance and Related Programs, Foreign Agricultural Service, McGovern-Dole International Food for Education and Child Nutrition Program Grants'' shall be $100,000,000.

SEC. 1268. Notwithstanding section 1101, the level for ''Related Agencies and Food and Drug Administration, Food and Drug Administration, Salaries and Expenses'' shall be $3,307,418,000: *Provided*, That of the amount provided under this heading, $667,057,000 shall be derived from prescription drug user fees authorized by section 736 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h), shall be credited to this account and remain available until expended, and shall not include any fees pursuant to paragraphs (2) and (3) of section 736(a) of such Act (21 U.S.C. 379h(a)(2) and (a)(3)) assessed for fiscal year 2012 but collected in fiscal year 2011; $61,860,000 shall be derived from medical device user fees authorized by section 738 of such Act (21 U.S.C. 379j), and shall be credited to this account and remain available until expended; $19,448,000 shall be derived from animal drug user fees authorized by section 740 of such Act (21 U.S.C. 379j–12), and shall be credited to this account and remain available until expended; $5,397,000 shall be derived from animal generic drug user fees authorized by section 741 of such Act (21 U.S.C. 379j–21), and shall be credited to this account and shall remain available until expended; and $450,000,000 shall be derived from tobacco product user fees authorized by section 919 of such Act (21 U.S.C. 387s) and shall be credited to this account and remain available until expended: *Provided further*, That in addition and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees that exceed the fiscal year 2011 limitation are appropriated and shall be credited to this account and remain available until expended: *Provided further*, That fees derived from prescription drug, medical device, animal drug, animal generic drug, and tobacco product assessments for fiscal year 2011 received during fiscal year 2011, including any such fees assessed prior to fiscal year 2011 but credited for fiscal year 2011, shall be subject to the fiscal year 2011 limitations: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated under this heading: (1) $727,220,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities

in the Office of Regulatory Affairs; (2) $895,460,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $296,937,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $145,103,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $318,768,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $35,052,000 shall be for the National Center for Toxicological Research; (7) $421,463,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed $100,482,000 shall be for Rent and Related activities, of which $22,683,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) not to exceed $182,661,000 shall be for payments to the General Services Administration for rent; and (10) $184,272,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs; the Office of Foods; the Office of the Chief Scientist; the Office of Policy, Planning and Budget; the Office of International Programs; the Office of Administration; and central services for these offices: *Provided further*, That none of the funds made available under this heading shall be used to transfer funds under section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd): *Provided further*, That not to exceed $25,000 of the amount provided under this heading shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 1269. Notwithstanding section 1101, the level for ''Related Agencies and Food and Drug Administration, Independent Agencies, Commodity Futures Trading Commission'' shall be $112,000,000, to remain available until September 30, 2012: *Provided*, That the proviso under such heading in Public Law 111–80 shall not apply to funds appropriated by this division.

SEC. 1270. Notwithstanding any other provision of this division, the following setasides included in Public Law 111–80 for ''Congressionally Designated Projects'' in the following accounts for the corresponding amounts shall not apply to funds appropriated by this division:

(1) ''Agricultural Programs, Agricultural Research Service, Salaries and Expenses'', $44,138,000.

(2) ''Agricultural Programs, National Institute of Food and Agriculture, Research and Education Activities'', $120,054,000.

(3) ''Agricultural Programs, National Institute of Food and Agriculture, Extension Activities'', $11,831,000.

(4) ''Agricultural Programs, Animal and Plant Health Inspection Service, Salaries and Expenses'', $24,410,000.

(5) ''Conservation Programs, Natural Resources Conservation Service, Conservation Operations'', $37,382,000.

SEC. 1271. Notwithstanding any other provision of this division, the following provisions included in Public Law 111–80 shall not apply to funds appropriated by this division:

(1) The first proviso under the heading ''Agricultural Programs, Agriculture Buildings and Facilities and Rental Payments''.

(2) The second proviso under the heading ''Conservation Programs, Natural Resources Conservation Service, Conservation Operations''.

(3) The second proviso under the heading ''Rural Development Programs, Rural Utilities Service, Rural Water and Waste Disposal Account''.

(4) The first proviso under the heading ''Domestic Food Programs, Food and Nutrition Service, Commodity Assistance Program''.

(5) The first proviso under the heading ''Foreign Assistance and Related Programs, Foreign Agricultural Service, McGovern-Dole International Food for Education and Child Nutrition Program Grants''.

SEC. 1272. Sections 718, 723, 727, 728, 738, 739, and 741 of Public Law 111–80 shall be applied to funds appropriated by this division by substituting $0 for the dollar amounts included in those sections.

SEC. 1273. Sections 715, 716, 721(2), 721(3), 724, 725, 726, 729, 730, 734, 735, 743, 745, and 748 of Public Law 111–80 shall not apply for fiscal year 2011.

SEC. 1274. Sections 737, 740, 747, and 749 of Public Law 111–80 authorized or required certain actions that have been performed before the date of the enactment of this division and need not reoccur.

SEC. 1275. Appropriations to the Department of Agriculture made available in fiscal year 2005 to carry out section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) for the cost of direct loans shall remain available until expended to disburse valid obligations made in fiscal years 2005 and 2006.

SEC. 1276. In the case of each program established or amended by the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), other than by title I or subtitle A of title III of such Act, or programs for which indefinite amounts were provided in that Act that is authorized or required to be carried out using funds of the Commodity Credit Corporation: (1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and (2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.

SEC. 1277. With respect to any loan or loan guarantee program administered by the Secretary of Agriculture that has a negative credit subsidy score for fiscal year 2011, the program level for the loan or loan guarantee program, for the purposes of the Federal Credit Reform Act of 1990, shall be the program level established pursuant to such Act for fiscal year 2010.

SEC. 1278. Section 721(1) of Public Law 111–80 (123 Stat. 2122) is amended by striking ''$1,180,000,000'' and inserting ''$1,238,000,000''.

SEC. 1279. Section 742 of Public Law 111–80 (123 Stat. 2128) is amended by striking ''$11,000,000'' and inserting ''$15,000,000''.

SEC. 1280. The following provisions of Public Law 111–80 shall be applied to funds appropriated by this division by substituting ''2010'', ''2011'', and ''2012'' for ''2009'', ''2010'', and ''2011'', respectively, in each instance that such terms appear:

(1) The second paragraph under the heading ''Agricultural Programs, Animal and Plant Health Inspection Service, Salaries and Expenses''.

(2) The second proviso under the heading ''Agricultural Programs, Food Safety and Inspection Service''.

(3) The first proviso in the second paragraph under the heading ''Rural Development Programs, Rural Housing Service, Rural Housing Insurance Fund Program Account''.

(4) The fifth proviso under the heading ''Rural Development Programs, Rural Housing Service, Rental Assistance Program''.

(5) The proviso under the heading ''Rural Development Programs, Rural Housing Service, Mutual and Self-Help Housing Grants''.

(6) The first proviso under the heading ''Rural Development Programs, Rural Housing Service, Rural Housing Assistance Grants''.

(7) The seventh proviso under the heading ''Rural Development Programs, Rural Housing Service, Rural Community Facilities Program Account''.

(8) The third proviso under the heading ''Rural Development Programs, Rural Business—Cooperative Service, Rural Business Program Account''.

(9) The four availability of funds clauses under the heading ''Rural Development Programs, Rural Business—Cooperative Service, Rural Development Loan Fund Program Account''.

(10) The fifth proviso under the heading ''Rural Development Programs, Rural Utilities Service, Rural Water and Waste Disposal Program Account''.

(11) Sections 713, 717, 732, and 746.

SEC. 1281. None of the funds appropriated or otherwise made available by this division or any other Act shall be used to pay the salaries and expenses of personnel to carry out the Wetlands Reserve Program authorized by sections 1237–1237F of the Food Security Act of 1985 (16 U.S.C. 3837–3837f) to enroll in excess of 202,218 acres in fiscal year 2011: *Provided*, That such program shall be permanently reduced by 47,782 acres.

SEC. 1282. None of the funds appropriated or otherwise made available by this division or any other Act shall be used to pay the salaries and expenses of personnel to carry out the Conservation Stewardship Program authorized by sections 1238D–1238G of the Food Security Act of 1985 (16 U.S.C. 3838d–3838g) in excess of $649,000,000.

SEC. 1283. None of the funds appropriated or otherwise made available by this division or any other Act shall be used to pay the salaries and expenses of personnel to carry out the program authorized by section 14 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012): *Provided*, That of the funds available under such section for fiscal year 2011, $165,000,000 is rescinded.

SEC. 1284. None of the funds appropriated or otherwise made available by this division or any other Act shall be used to pay the salaries and expenses of personnel to transfer in fiscal year 2011 to the Administrator of the Food and Nutrition Service under subsection (b) of section 14222 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2245) an amount in excess of $1,098,000,000: *Provided*, That none of the funds made available by this division or any other Act shall be used to pay the salaries and expenses of personnel to carry out section 19 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769a) utilizing funds otherwise required to be made available under subsection (i)(1)(D) of such section 19 in excess of $33,000,000, including the transfer of funds under subsection (c) of such section 14222, until October 1, 2011: *Provided further*, That the remaining $117,000,000 of the amount specified in subsection (i)(1)(D) of such section 19 made available on October 1, 2011, to carry out such section 19 shall be excluded from the limitation described in subsection (b)(2)(A)(iv) of such section 14222 for fiscal year 2012.

SEC. 1285. None of the funds appropriated or made available by this division or any other Act shall be used to pay the salaries and expenses of personnel to carry out the

Biomass Crop Assistance Program authorized by section 9011 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8111) in excess of $112,000,000.

SEC. 1286. Of the unobligated balances available for ''Agricultural Programs, Agricultural Research Service, Buildings and Facilities'' $223,700,000 is rescinded.

SEC. 1287. Of the unobligated balances available for the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act of 1936, $15,000,000 is rescinded.

SEC. 1288. (a) Notwithstanding this Act or any other Act, of the unobligated balances available to the Department of Agriculture from prior appropriations, $585,000,000 in appropriated discretionary funds are hereby rescinded.

(b) The Secretary of Agriculture shall determine and identify from which appropriation accounts the rescission under subsection (a) shall apply and the amount of such rescission that shall apply to each such account. Not later than 30 days after the date of the enactment of this Act, the Secretary of Agriculture shall submit a report to the Committees on Appropriations of both Houses of Congress and the Secretary of the Treasury of the accounts and amounts determined and identified for rescission under the preceding sentence: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

TITLE III—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

SEC. 1301. Notwithstanding section 1101, the level for ''Department of Commerce, International Trade Administration, Operations and Administration'' shall be $450,989,000.

SEC. 1302. Notwithstanding section 1101, the level for ''Department of Commerce, Economic Development Administration, Economic Development Assistance Programs'' shall be $175,000,000.

Mr. ROGERS of Kentucky (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 196, line 18 be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

AMENDMENT NO. 153 OFFERED BY MR. MICHAUD

Mr. MICHAUD. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 196, line 18, after the dollar amount insert ''(increased by $80,000,000)''.

Page 199, line 6, after the dollar amount insert ''(reduced by $80,000,000)''.

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

Mr. MICHAUD. Mr. Chairman, I rise today to offer this amendment to restore funding to the Economic Development Administration. The investments made by EDA in all of our districts lead to economic development and job creation. But these investments are not just some government handout.

By law, EDA projects require a 50 percent local cost share and must leverage significant private sector investment. EDA's investments are also competitive and based on a regional, comprehensive economic development strategy that are spearheaded by local officials, private sector leaders and community representatives. The agency utilizes this approach to reflect the local and regional priority of our communities. But most importantly, all EDA project investments must result in creation and retention of high-quality jobs.

Let me repeat: EDA is the one agency of the Federal Government that has a singular focus of creating jobs, and it has a strong track record of success in my home State of Maine and throughout the country.

□ 2150

In fact, from 2004 to 2008, EDA-funded projects directly led to the creation of approximately 200,000 jobs.

All of us support cuts to spending to get our fiscal house in order, but we all are realistic. We know that actions of one program or agency won't be enough to solve the Nation's job problems. But at a time when our States, local communities, and businesses continue to struggle, it is the wrong time to be cutting a program that is a proven job creator. It's the wrong time to turn our backs on investments in our communities that will make a real difference. But it is the right time to set our priorities and insist that our investments are focused on job creation.

The fiscal year 2010 level was $293 million. The CR cuts it to $175 million. This amendment will actually bring it up to $255 million. So I encourage my colleagues to support this amendment.

I yield back the balance of my time.

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

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

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

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

The Clerk will read.

The Clerk read as follows:

SEC. 1303. Notwithstanding section 1101, the level for ''Department of Commerce, Minority Business Development Agency, Minority Business Development'' shall be $30,400,000.

SEC. 1304. Notwithstanding section 1101, the level for ''Department of Commerce, National Telecommunications and Information Administration, Salaries and Expenses'' shall be $40,649,000.

SEC. 1305. Notwithstanding section 1101, the level for ''Department of Commerce, National Institute of Standards and Technology, Scientific and Technical Research and Services'' shall be $469,500,000.

SEC. 1306. Notwithstanding section 1101, the level for ''Department of Commerce, National Institute of Standards and Technology, Industrial Technology Services'' shall be $169,600,000.

SEC. 1307. Notwithstanding section 1101, the level for ''Department of Commerce, National Oceanic and Atmospheric Administration, Pacific Coastal Salmon Recovery'' shall be $50,000,000.

SEC. 1308. Notwithstanding section 1101, the level for ''Department of Justice, General Administration, National Drug Intelligence Center'' shall be $34,023,000.

AMENDMENT NO. 368 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 197, line 17, after the dollar amount, insert ''(reduced by $34,023,000)''.

Page 359, line 5, after the dollar amount, insert ''(increased by $34,023,000)''.

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

Mr. FLAKE. Mr. Chairman, this amendment is straightforward. It would simply reduce more than $34 million in funding for the National Drug Intelligence Center and transfer that money into the spending reduction account.

In short, the amendment would zero out funding for the National Drug Intelligence Center, which has survived for the past 3 years by way of a very broken earmarking process.

For many institutions, drugs are handled with a zero tolerance policy. I would submit that taxpayers should send a clear signal here that we have a zero tolerance policy for this kind of wasteful spending.

There has been no better example for wasteful spending than the NDIC, an entity I have come to the floor many times within the past to criticize and to limit funding for. Not just me, but many other Members.

A pet project that once belonged to a powerful Member of Congress, the NDIC was established in 1992 and has been the recipient of hundreds of millions of dollars since then.

In 2005, the White House OMB reported that the NDIC ''has proven ineffective in achieving its assigned mission.'' In 2006, a spokesman for the DOJ asserted that the resources of the NDIC should be ''realigned to support priority counterterrorism and national security initiatives.'' And yet, here we are, 5 years later, funding the NDIC in spite of what will be 3 years of trillion-dollar deficits and a skyrocketing national debt.

According to a CQ article from today, even the current administration's Deputy Attorney General James Cole said that many of the center's functions could be performed elsewhere.

The President's budget request was released yesterday; and according to CQ, the NDIC is slated to receive a cut from its current level of funding from $44 million down to $25 million. I submit that that is $25 million too much.

According to the fiscal year 2011 budget summary for the National Drug Control Strategy, we spent more than $15 billion on antidrug and drug-control efforts in fiscal year 2010. Even if

you believe that the NDIC is effective and that it pulls its own weight, the anti-drug effort, like the budget of the Department of Defense, should not be immune from commonsense cuts that increase efficiency, and I can think of few things more efficient than closing down the NDIC once and for all.

Let me just note, The Wall Street Journal said at one point: ''Conservatives have argued that the center is a waste of taxpayer money, and critics argue that it has never fulfilled its promise to provide high-quality analysis of drug networks.'' Again, an internal White House budget proposal aims to save nearly $17 million by downsizing NDIC.

Clearly, clearly, I think everybody admits that there is no reason for this facility to exist anymore and to keep sucking millions and millions of dollars every year from the taxpayer. The White House, successive White Houses, Republican and Democrat alike, have said this is inefficient. It is not filling its mission. So it is up to Congress now, when we're running a $1.5 trillion deficit that stacks up against a $14 trillion debt, to look at programs like this and say, All right. Enough is enough. It's time that we close them down.

So with that, Mr. Chairman, I say let's adopt this amendment. If we can't do this, where can we save money? If we can't close down a center that's received hundreds of millions of dollars that the White House, successive administrations, Republican and Democrat, have said it is duplicative, it is not fulfilling its mission; if we can't close these kind of things down, when are we going to save money?

I yield back the balance of my time.

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

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

Mr. DICKS. I appreciate the gentleman's usual zeal for finding savings in the budget, but I believe his amendment goes too far to achieve savings without considering the impacts.

NDIC plays an important role in analyzing and disseminating information to law enforcement and the intelligence community about the production, trafficking, and consumption of illegal drugs. It produces the annual drug threat assessments, as well as local and regional assessments.

DOJ is proposing a reduced funding level for NDIC in 2012, along with the realignment of some of its functions to the Drug Enforcement Administration. We will have to look closely at that proposal to ensure it would not set us back in dealing with the drug threat. But, in any case, one simply cannot eliminate an agency overnight.

NDIC performs significant functions that are critical to our law enforcement efforts, and those functions can't be simply shut down and transferred without significant planning.

NDIC has been operating under the current CR for several months and has been obligated a significant amount of funding already, so there is no way to cut its funding for the year to zero. In fact, CBO scores the amendment as saving only $16 million in budget authority, not $34 million. I urge my colleagues to defeat this Flake amendment.

I yield back the balance of my time.

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

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

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

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

□ 2200

The Clerk will read.

The Clerk read as follows:

SEC. 1309. Notwithstanding section 1101, the level for ''Department of Justice, General Administration, Justice Information Sharing Technology'' shall be $78,285,000.

SEC. 1310. Notwithstanding section 1101, the level for ''Department of Justice, General Administration, Tactical Law Enforcement Wireless Communications'' shall be $136,143,000.

SEC. 1311. Notwithstanding section 1101, the level for ''Department of Justice, General Administration, Detention Trustee'' shall be $1,533,663,000.

SEC. 1312. Notwithstanding section 1101, the level for ''Department of Justice, Legal Activities, Salaries and Expenses, General Legal Activities'' shall be $865,097,000.

SEC. 1313. Notwithstanding section 1101, the level for ''Department of Justice, United States Marshals Service, Construction'' shall be $16,929,000.

SEC. 1314. Notwithstanding section 1101, the level for ''Department of Justice, Federal Bureau of Investigation, Construction'' shall be $106,915,000.

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

The Acting CHAIR (Mr. BASS of New Hampshire). Will the gentleman specify which amendment.

Mr. HOLT. Amendment No. 235.

The Acting CHAIR. The Chair will note that the reading has progressed past that point in the bill.

Mr. HOLT. Mr. Chairman, I ask unanimous consent to consider the amendment out of order.

The Acting CHAIR. Is there objection to the request of the gentleman from New Jersey?

Mr. ROGERS of Kentucky. Reserving the right to object, Mr. Chairman, as I understand it, the gentleman wants to go back to a section which we have already covered?

The Acting CHAIR. The gentleman is correct.

Mr. ROGERS of Kentucky. Mr. Chairman, in order to move things along, we have to have rules, and I have to object.

The Acting CHAIR. Objection is heard.

The Clerk will read.

The Clerk read as follows:

SEC. 1315. Notwithstanding section 1101, the level for ''Department of Justice, Federal Prison System, Salaries and Expenses'' shall be $6,325,231,000.

SEC. 1316. Notwithstanding section 1101, the level for ''Office of Science and Technology Policy'' shall be $6,500,000.

SEC. 1317. Notwithstanding section 1101, the level for ''National Science Foundation, Research and Related Activities'' shall be $5,467,920,000.

SEC. 1318. Notwithstanding section 1101, the level for ''National Science Foundation, Major Research Equipment and Facilities Construction'' shall be $54,790,000.

SEC. 1319. Notwithstanding section 1101, the level for ''National Science Foundation, Education and Human Resources'' shall be $725,760,000.

SEC. 1320. Notwithstanding section 1101, the level for ''Department of Commerce, Bureau of the Census, Periodic Censuses and Programs'' shall be $913,707,000.

SEC. 1321. Notwithstanding section 1101, the level for each of the following accounts shall be $0: ''Department of Commerce, National Telecommunications and Information Administration, Public Telecommunications Facilities, Planning and Construction''; ''Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives, Construction''; and ''Department of Justice, Office of Justice Programs, Weed and Seed Program Fund''.

SEC. 1322. Notwithstanding any other provision of this division, the following set-asides included in division B of Public Law 111–117 for projects specified in the explanatory statement accompanying that Act in the following accounts for the corresponding amounts shall not apply to funds appropriated by this division: (1) ''Department of Commerce, International Trade Administration, Operations and Administration'', $5,215,000; (2) ''Department of Commerce, Minority Business Development Agency, Minority Business Development'', $1,100,000; and (3) ''Department of Commerce, National Institute of Standards and Technology, Scientific and Technical Research and Services'', $10,500,000.

SEC. 1323. The Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation are directed to submit spending plans, signed by the respective department or agency head, to the House and Senate Committees on Appropriations within 60 days of enactment of this division.

SEC. 1324. Notwithstanding any other provision of this division, the set-aside included in division B of Public Law 111–117 under the heading ''Department of Commerce, United States Patent and Trademark Office, Salaries and Expenses'' for policy studies related to activities of United Nations Specialized Agencies related to international protection of intellectual property rights shall not apply to funds appropriated by this division.

SEC. 1325. Of the amount provided by section 1306 for ''National Institute of Standards and Technology, Industrial Technology Services'', $44,900,000 shall be for the Technology Innovation Program.

SEC. 1326. (a) Notwithstanding section 1101, the level for ''Department of Commerce, National Institute of Standards and Technology, Construction of Research Facilities'' shall be $58,000,000.

(b) The set-asides included in division B of Public Law 111–117 under the heading ''Department of Commerce, National Institute of Standards and Technology, Construction of Research Facilities'' for a competitive construction grant program for research science buildings and for projects specified in the explanatory statement accompanying that Act shall not apply to funds appropriated by this division.

AMENDMENT NO. 260 OFFERED BY MR. LATTA

Mr. LATTA. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

H.R. 1

OFFERED BY: MR. LATTA

AMENDMENT NO. 260: Page 200, line 25, after the dollar amount insert ''(reduced by $10,000,000)''.

Page 359, line 5, after the dollar amount insert ''(increased by $10,000,000)''.

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

Mr. LATTA. Mr. Chairman, my amendment would reduce spending for the Department of Commerce under the National Institute of Standards and Technology construction of research facilities account by $10 million and transfer those funds to the spending reduction account. This program provides government money for construction of research science buildings. Currently, H.R. 1 funds the technology construction of research facilities account at $58 million and this amendment would reduce it to $48 million. While scientific research is important, when our nation is experiencing massive deficits, we have to make these difficult cuts.

With a forecasted deficit of $1.6 trillion this year and the national debt scheduled to triple in 10 years, I am simply proposing cutting spending from a program that received over $123 million in increased funding in the stimulus. The President released his budget proposal this week which reflects a pattern of record spending, and even higher taxes. This continued spending is funds that the U.S. Government does not have, as we continue to borrow from other countries. During the last session of Congress alone, the President signed into law over $1.8 trillion in new government spending and over $670 billion in new job damaging tax hikes. My $10 million cut is an example of a difficult cut that has to be made in our Federal budget.

Furthermore, the Department of Commerce has established a national program office under the National Institute of Standards and Technology to begin development and implementation of the national strategy for trusted identities in cyberspace. The general goal of this strategy is to secure and protect transactions in cyberspace through use of a special ID, or digital identity, so that people can prove who they say they are. Let me say that cybersecurity and privacy are extremely important issues to all Americans. However, I have very strong concerns that this government-directed effort could destroy online anonymity, become the equivalent of a national Internet ID, and crowd out current private-sector efforts. That this project could potentially lead to issuance of a unique Internet ID that would serve as a single identifier for access to password-protected Web sites is frightening. It is equally concerning to think that if this single digital identity were to be hacked, the hacker would have access to a wide range of a user's personal information and accounts. Security of the cyber domain is serious, but a government-run or government-directed Internet ID system is a risk to liberty and this strategy is not the way to go about achieving this goal. The elected representatives of Congress should address these issues, not a government bureaucracy. I will be offering a limitation amendment to block any funding towards the development of this strategy, and that is why I am offering this amendment, No. 260, to cut funding from the National Institute of Standards and Technology.

I yield back the balance of my time.

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

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

Mr. WOLF. This account has been hit very, very hard already. Each reduction in the bill was carefully determined. The funding level provided for NIST construction in the bill is $89 million below FY 2010.

NIST has played a key role in enabling innovative ideas with regard to strengthening infrastructure for advance manufacturing, service and science.

NIST works with the private sector, other government agencies and universities to develop and apply the technology, measurements and standards needed for new and improved products.

We have already reduced the funding in this account quite dramatically, and this would really, I think, hurt the jobs effort and hurt manufacturing.

Mr. DICKS. Will the gentleman yield?

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

Mr. DICKS. I strongly support the gentleman's position here. We've already cut this account. There's $58 million in the account; a reduction of $89 million, or 60 percent below FY10. And the NIST does very good work. So I support the chairman and in opposition to the Latta amendment.

Mr. WOLF. Reclaiming my time, again, we want science, jobs, math, science, physics, chemistry, biology to create opportunities for manufacturing.

I urge a ''no'' vote on the amendment.

□ 2210

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

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

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

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

The Clerk will read.

The Clerk read as follows:

SEC. 1327. (a) Notwithstanding section 1101, the level for ''Department of Commerce, National Oceanic and Atmospheric Administration, Operations, Research, and Facilities'' shall be $2,850,883,000.

(b) The set-aside included in division B of Public Law 111–117 under the heading ''Department of Commerce, National Oceanic and Atmospheric Administration, Operations, Research, and Facilities'' for projects specified in the explanatory statement accompanying that Act shall not apply to funds appropriated by this division.

SEC. 1328. (a) Notwithstanding section 1101, the level for ''Department of Commerce, National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction'' shall be $1,455,353,000.

(b) The set-aside included in division B of Public Law 111–117 under the heading ''Department of Commerce, National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction'' for projects specified in the explanatory statement accompanying that Act shall not apply to funds appropriated by this division.

SEC. 1329. (a) Notwithstanding section 1101, the level for ''Department of Justice, Office of Justice Programs, Justice Assistance'' shall be $225,000,000.

(b) Amounts included in paragraphs (1) through (5) under the heading ''Department of Justice, Office of Justice Programs, Justice Assistance'' of division B of Public Law 111–117 shall be deemed to represent the maximum amount of funding available under the respective paragraph.

SEC. 1330. (a) Notwithstanding section 1101, the level for ''Department of Justice, Office of Justice Programs, State and Local Law Enforcement Assistance'' shall be $953,500,000.

(b) The amount included in paragraph (4) under the heading ''Department of Justice, Office of Justice Programs, State and Local Law Enforcement Assistance'' of division B of Public Law 111–117 shall be applied to funds appropriated by this division by substituting ''$0'' for ''$185,268,000''.

(c) Amounts included in paragraphs (1) through (3) and paragraphs (5) through (29) under the heading ''Department of Justice, Office of Justice Programs, State and Local Law Enforcement Assistance'' of division B of Public Law 111–117 shall be deemed to represent the maximum amount of funding available under the respective paragraph.

AMENDMENT NO. 12 OFFERED BY MR. HOLT

Mr. HOLT. Mr. Chairman, I offer an amendment as a designee of the gentlewoman from New York (Mrs. MCCARTHY).

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 202, line 16, after the dollar amount, insert ''(reduced by $20,000,000) (increased by $20,000,000)''.

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

Mr. HOLT. Mr. Chairman, this amendment is to make sure that we continue the good work of the National Instant Criminal Background Check

System. The NICS is a national database system that keeps track of individuals who are disqualified under current law from purchasing and possessing firearms. Need I remind my colleagues of the many reminders we have had of the need for this.

The amendment before us here seeks to ensure that the Department of Justice continues funding the NICS Improvement Amendments Act of 2007 at the current level of $20 million. It was signed into law in January 2008 and requires all States to provide the NICS with relevant records that are needed to conduct effective background checks. Additionally, the NICS Improvement Act provides grants to States and territories to update their records and transmit the records to the NICS database.

NICS is a critical tool in the fight to keep firearms from those legally disqualified from purchasing and possessing them. The only way to enforce the law is to ensure that NICS has up-to-date records from State and Federal sources.

We understand the constraints on the Federal budget. However, by continuing to fund this program at the current FY10 level, we continue the vital effort to keep guns out of the hands of people who should not have them.

I encourage Members to support this amendment.

Had I had the floor before, I would have offered an amendment to restore the $310 million that was cut from the lifesaving Community Oriented Policing, or COPS Program, but I was denied that opportunity. So I ask for support for the amendment from Mrs. MCCARTHY and me to fund the NICS Improvement Amendments Act.

I yield back my time.

Mr. WOLF. Mr. Chairman, I rise in support of the amendment.

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

Mr. WOLF. The Appropriations Committee will be requiring the Department of Justice to come back to the committee with a spending plan outlining how it intends to use the funds provided for State and local law enforcement. We accept the amendment.

Mr. DICKS. Mr. Chairman, if the gentleman will yield, we accept the amendment on our side too.

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 1331. (a) Notwithstanding section 1101, the level for ''Department of Justice, Office of Justice Programs, Juvenile Justice Programs'' shall be $232,500,000.

(b) The amount included in paragraph (2) under the heading ''Department of Justice, Office of Justice Programs, Juvenile Justice Programs'' of division B of Public Law 111–117 shall be applied to funds appropriated by this division by substituting ''$0'' for ''$91,095,000''.

(c) Amounts included in paragraph (1) and paragraphs (3) through (8) under the heading ''Department of Justice, Office of Justice Programs, Juvenile Justice Programs'' of division B of Public Law 111–117 shall be deemed to represent the maximum amount of funding available under the respective paragraph.

SEC. 1332. (a) Notwithstanding section 1101, the level for ''Department of Justice, Community Oriented Policing Services (Including Transfers of Funds)'' shall be $290,500,000.

(b) Amounts included under the heading ''Department of Justice, Community Oriented Policing Services (Including Transfers of Funds)'' in division B of Public Law 111–117 shall be applied to funds appropriated by this division by substituting—

(1) ''$15,000,000'' for ''40,385,000'';

(2) ''$0'' for ''$25,385,000'';

(3) ''$1,500,000'' for ''$170,223,000'';

(4) ''$0'' for ''$168,723,000''; and

(5) ''$0'' for ''$298,000,000''.

(c) Amounts included in paragraph (1) and paragraphs (4) through (8) under the heading ''Department of Justice, Community Oriented Policing Services (Including Transfers of Funds)'' of division B of Public Law 111–117 shall be deemed to represent the maximum amount of funding available under the respective paragraph.

AMENDMENT NO. 240 OFFERED BY MS. JACKSON LEE OF TEXAS

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment to Strike Section 1332 of Title III, which reduces the funding level for the Department of Justice, Community Oriented Policing Services to $290,500,000.

Mr. WOLF. Mr. Chairman, I reserve a point of order against the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentlewoman from Texas is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. I thank the gentleman, and I thank the ranking member and, of course, the manager for the majority.

Mr. Chairman, I rise for a very important discussion as a member of the House Judiciary Committee and someone who truly believes that the COPS Program that has been initiated over a long tenure of time has truly brought down the crime statistics across America. Whether you are a rural hamlet or whether or not you happen to be a major city, the COPS Program has been an anchor for security for neighborhoods who cannot afford to pay for their own private police services.

This amendment restores the $600 million that is offered to be taken from the present funding, and it restores or would prevent the taking of 1,330 cops off the street, and as well it will provide the safety net that is necessary.

If I had had command of the floor earlier, I would have also added to this discussion the elimination of salaries that are eliminating the use of resources for the enforcement of the Voting Rights Act and the resources necessary to enforce the Voting Rights Act in the new redistricting plans that will be coming forward.

But it is certainly a shame to take in the middle of municipal budget years a sizable amount of dollars which they had been operating with and depended on. There are local communities in which the COPS Program provides one police officer, two police officers, 20 police officers, 30 police officers, and that is the very existence of that community. In cities around America, cops have been laid off, and that should be a decision of last resort.

When you talk about going forward, my question to my friends on the other side of the aisle is, is the purpose of this legislative initiative job creation, or job elimination? How can you do such damage to members of the municipal workforce that are on the front lines serving local communities?

The COPS Program has been an enormous success. It has survived several administrations, Republican and Democrat. And to suggest that the COPS Program would be obliterated or at least devastated in such an amount would, from my perspective, be the wrong direction to go. COPS academy classes have been put on hold. Mayors have eliminated classes. I have seen that in cities around America, and as members of the House Judiciary Committee, we have had several encounters of eliminating COPS funding.

This amendment simply strikes the elimination or the intent to eliminate a certain amount of funding for the COPS Program. As a member of the Homeland Security Committee, I would ask my colleagues to ask themselves the question, do the American people deserve safety and security in a time where we continue to face international and homeland security threats here in the United States? Domestic law enforcement is a key element in providing that kind of safety net.

□ 2220

Training, the opportunity for security, and the opportunity for ensuring that hamlets, towns, cities, and rural communities, counties, do not have to suffer through the crisis of the lack of security.

So I would ask my colleagues to consider a waiver so that we can address this question of the funding of a very important program. And I might add that I look forward to working with the Senate to restore those salaries to the Department of Justice so that we do not have to undermine the enforcement of an enormously important legislative initiative, one that Martin Luther King and our colleague, JOHN LEWIS, fought hard for and one that has withstood the test of time—and that is enforcement of the Voting Rights Act. How could we? And I look forward to working with the Senate for allowing that to go forward as well as to be able to enforce the values or the laws, the requirements of the Voting Rights Act, as relates to the 2011 redistricting that will take place in the coming months.

I yield back the balance of my time.

POINT OF ORDER

Mr. WOLF. Mr. Chairman, the amendment proposed a net increase in budget authority. Before I comment on it; one, this does not cut the Voting Rights Act. So that's not accurate. This does not, this does not, this does not cut the Voting Rights Act.

The Acting CHAIR. The gentleman may state his point of order but not engage in debate on the issue.

Mr. WOLF. Mr. Chairman, the amendment is not in order under section 3(j)(3) of House Resolution 5 of the 112th Congress, which states, ''It shall not be in order to consider an amendment to a general appropriations bill proposing a net increase in budget authority in the bill unless considered en bloc with another amendment or amendments proposing an equal or greater decrease in such budget authority pursuant to clause 2(f) of rule XXI.

The amendment proposes a net increase in budget authority in the bill in violation of such section.

The Acting CHAIR. Does any other Member wish to address the point of order?

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. Mr. Chairman, as I indicated before, first of all, the gentleman was mishearing what I said. I indicated that I had an earlier amendment that I decided not to offer because I intend to work with the other body on it. But it would have diminished the ability to enforce the Voting Rights Act. That is not what we're speaking of today.

The Acting CHAIR. The gentlewoman needs to address the point of order.

Ms. JACKSON LEE of Texas. Mr. Chairman, I wanted to clarify that I was not speaking on this amendment. In this amendment I've simply asked for a waiver. Frankly, this is too important an issue to be addressed by the gentleman's point of order. I ask for a waiver. This is denying, if you will, huge amounts of money to many municipalities all across this Nation. And $600 million is absolutely ludicrous. It causes a loss of jobs and a loss of safety for the United States.

I ask for a waiver on the point of order.

The Acting CHAIR. The Chair is prepared to rule.

Mr. WEINER. Mr. Chairman, I would like to be heard on the point of order.

The Acting CHAIR. The gentleman from New York is recognized.

Mr. WEINER. The intention of the rule that the chairman is referring to is to make sure we're not adding any additional spending. But in fact, by cutting the COPS program, you're actually adding an enormous amount of expenditure in the long run. And what the gentlelady is going to being doing by preserving COPS on the street, you have less crime, lower insurance rates, less costs for prevention. You wind up—COPS on the beat wind up saving money. They save money in another way. They save money because localities don't need to raise taxes to keep these cops on the street.

So I think the gentlelady's amendment is a net budget reducer, net budget saver. Sometimes we invest in things here that save money, and the gentlelady's amendment does that. So it's in compliance with the rule.

The Acting CHAIR. The Chair is prepared to rule on the point of order.

The gentleman from Virginia makes a point of order that the amendment offered by the gentlewoman from Texas violates section 3(j)(3) of House Resolution 5.

Section 3(j)(3) establishes a point of order against an amendment proposing a net increase in budget authority in the pending bill.

The Chair has been persuasively guided by an estimate from the chair of the Committee on the Budget that the amendment proposes a net increase in budget authority in the bill. Therefore, the point of order is sustained and the amendment is not in order.

AMENDMENT NO. 125 OFFERED BY MR. WEINER, AS MODIFIED

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment, as modified, is as follows:

Page 203, line 23, after the dollar amount, insert ''(increased by $298,000,000)''.

Page 204, line 8, after the first dollar amount, insert ''(increased by $298,000,000)''.

Page 206, line 10, after the dollar amount, insert ''(reduced by $298,000,000)''.

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

Mr. WEINER. Thank you, Mr. Chairman. Before I proceed, I would make a unanimous consent request. There's a typographical error that should say $298 million, and it has only 5 zeros. So in the two places that that is stated, I ask unanimous consent to add the extra zero so it makes sense.

The Acting CHAIR. Is there objection to the request of the gentleman from New York?

There was no objection.

The Acting CHAIR. The amendment is so modified.

Mr. WEINER. Mr. Chairman, my colleagues, this is to restore the COPS program and take money out of space. But before I do that, I really have to say I don't think this process is on the level. What are we doing here? We're figuring out which diminished amount we're going to take from to restore another diminished amount. This bill isn't going to become law. The President today said that he is going to veto this bill, as he should. It slashes funding on so many important things to our communities. I bet you most of the authors of the bill are praying that he vetoes this bill. But the fact is we're kind of in here playing this game. We're trying to take from one slashed account and move funds to another slashed account, but in the clear case of how the Republicans are swinging a meat ax rather than a scalpel—the COPS program, police officers, cops on the beat.

The COPS program has been a success not just because it's been a big-city program. You've got COPS over the first 10 years of the program in every single State. Every single community has had an increase because of police officers. And I thought being tough on crime was a Republican ideal. You slash this funding and what's going to wind up happening is your localities are going to have one of two choices: Lay off police officers or raise taxes some other way. It's going to be a net zero effect because they're going to want to keep these cops on the beat.

So where do we take the money to replace just the hiring component? We're not going to replace the whole program, just the hiring component. We're going to take it out of space exploration. I want to go see Mars, too, but I'd much rather have cops on the streets of Brooklyn and Queens. I want it for all of your districts as well.

But let's face a little something about this budget. It's an irresponsible budget you've put on the floor. I'm sure Mr. DICKS would agree it's irresponsible to slash air traffic controllers 20 percent. Who thinks that's a good idea? It's irresponsible to cut 1,500 cops on the street. Who thinks that's a great idea? It's irresponsible to say to middle class parents who are getting Pell Grants, Sorry, your kid can't go to college next year. Who thinks that's a good idea?

The President has said that he's going to veto this bill. Why don't we stop right now, roll it up, fold it up, go back and try to get this right? Let's try to come up with a commonsense budget. We know there are going to be cuts that are necessary. But to the COPS program?

We've got to understand here that these are going to require some tough choices. And I had a joking exchange with Mr. DICKS earlier, I think we can get more from Defense, I think we can get more from Agriculture. I get it. But, frankly speaking, I believe that there are some values that should transcend politics and transcend communities—and one of them is how many police officers.

And not only are there a lot of cops going to these communities; let's look at what's happening. In Jackson, Mississippi, 347 cops, they had a 12 percent reduction in crime; Detroit, Michigan, 500 cops, a 7 percent reduction; Boston, Massachusetts, almost a 29 percent reduction in crime. This is a good law enforcement program.

So I will say on behalf of all my colleagues, and Congressman GRIMM is supportive of this; Congressman DEFAZIO I think is here; Congressman COHEN is here; Congressman PALLONE I know is interested in this; and we know Congresswoman JACKSON LEE. Congressman REICHERT on your side is interested. I can tell you this: If we asked every person to stand up who had

COPS hired in their district, every one of you would have to stand up. It's going to all 435 districts. So let's keep that program going.

Now, do I like the idea we have to take it from NASA space exploration? I don't know any of the crime statistics on Mars, and I'm interested, but it's a bad choice. If any of you like space exploration, so do I. In a way, I'm playing the game too. I'm taking from one place to give to another. But I do believe it's in the interest of all of us to try to set these priorities straight.

□ 2230

One of the things we can do is vote ''yes'' on the Weiner amendment and then do something else.

It's late. We've gone through this exercise for a while. Since it's really a Kabuki dance and since we know that this document isn't going to become law—the President has already said he's going to veto it, and we already know the American people are not going to sit back for a 20 percent reduction in air traffic controllers—how is it a Republican ideal to make the air traffic less safe? How is that a value that somehow drove this Congress?

That shouldn't be nor should it be that we reduce the number of police officers on the streets. That's not who we are as a country. It's not who we should be as a Congress. So I hope you support the Weiner amendment by taking from Mars and putting it in the streets of your district.

I think it's late. Let's fold up the rest of the bill. Let's go back. Let's have some bipartisan discussion, and let's try to figure out how to do this in a way that the President won't veto it.

I yield back the balance of my time.

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

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

Mr. WOLF. I would tell the gentleman that the President of the United States failed to do what he was elected to do—that was to lead this country—by rejecting the Simpson-Bowles commission recommendation.

Mr. Chairman, President Obama supported and appointed the people to the Simpson-Bowles commission. Then we saw in the State of the Union message that none of the cuts that are being done tonight would have had to have been done had the President done what he should have done with regard to the Simpson-Bowles commission.

If I had been appointed to the Simpson-Bowles commission, I would have been supportive of it. If TOM COBURN and DICK DURBIN can be in support of it, hopefully we can come together in a bipartisan manner; but all of the opposition would not even have had to take place if the President had not failed to provide the leadership that he failed to provide.

This bill makes deliberate choices within NASA to strike an appropriate balance between achieving budget savings, procurement support for NASA's $16 billion in annual contracts, and safety and mission assurance to prevent spaceflight accidents. To do this, you would almost guarantee that something could potentially happen.

I teach security to prevent the Chinese from having cyber attacks. We had hearings the other day, and we learned that the Chinese have had cyber attacks against NASA's computers. This amendment would say that it's okay, that we can have the cyber attacks. We're going to put it somewhere else.

In addition—and I see the gentlelady from Houston is here—this amendment will cost NASA's civil servants and contractors between 1,500 and 2,000 jobs.

Had President Obama done what he should have done by appointing that commission, we wouldn't even have had any cuts here. We would have been doing what we had to do. Since we're talking about crime, Willie Sutton said he robbed banks. The reason he robbed banks is that that's where the money is. The money is in entitlements. Had we dealt with the Obama commission of Simpson-Bowles, we would not be where we are today.

I yield back the balance of my time.

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

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

Mr. COHEN. Willie Sutton would love it if the cops weren't trying to protect the banks—that would be great—but the cops are important.

Mr. Chairman, my first job out of law school was as an attorney for the Memphis Police Department. One of the first things I learned is that the best deterrent to crime is patrol, and patrol is policemen on the beat. That is the most effective way to reduce crime. When you have high unemployment, when you have a great recession like we've experienced with high unemployment, crime naturally does go up. When you have crime go up, you need more cops to protect property and individuals and lives.

This COPS program has been successful. It was successful in the 1990s, and we saw a tremendous decrease in crime. As Mr. WEINER pointed out—and I praise him for being a champion of this for so many years—this has been an effective program that has saved lives and property, that has kept insurance rates down, and that has kept order and liberty in our country.

Willie Sutton would not be for this amendment. He'd like to see the cops off the streets, away from the banks, away from the widows, away from the children, away from everybody who is in the arms of a potential crime, in the way of a potential crime, and that's something we shouldn't have in this country.

The cost to get rid of this program would be tremendous. The fact is the COPS program saves money, and this amendment zeros out the COPS program. It isn't a simple change in eliminating some of the moneys. It eliminates the program, and that's a mistake.

Local police are struggling with shrinking budgets. Tax rates are down as people have spent less money, so we don't have the money to support our police and to keep our law enforcement at the levels they should be. To cut police and law enforcement is a mistake, a serious mistake that's going to cost the American people.

You can't put it down in dollars and cents. Lives will be lost. Property will be lost. Insurance rates will go up. This is one place among others, but particularly here, they're the first line of defense. Of the police powers of the State, the first one is safety.

There are other areas where you could save money. If you want to keep the budget and cut it, there are a lot of defense programs that could be cut. There are defense programs that are not effectively keeping us safe from foreign problems or from foreign adversaries, but our streets in every city in this Nation and every hamlet has the need for police. To cut this COPS program is simply irresponsible, and it disregards the American public's regard and need for safety on the streets and for safety in their communities. We should support our police and make our streets safer.

I would ask that we support this amendment. I would ask that the people on the other side understand that law enforcement is a primary concern of government and that a reduction of this program or the elimination of this program will cost the American public dearly, and lives will be lost.

I yield back the balance of my time.

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

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

Mr. SCHIFF. Mr. Chairman, I fully support the effort to restore funding to the COPS Hiring Program.

We should absolutely look for savings and reduce costs in the Federal budget, but we should not be withdrawing support for law enforcement while cities and towns across the country are struggling to maintain their police forces.

A good example is Camden, New Jersey, which was forced by budget shortfalls to lay off 168 police officers last month. The city recently raised property taxes enough to restore about 20 percent of those positions, but law enforcement in the city is still woefully understaffed.

The CR cuts COPS programs by $501 million, including a reduction of $298 million that specifically zeros out the COPS Hiring Program. The elimination of COPS Hiring would result in 1,330 fewer cops hired or rehired in FY11 compared to FY10, or 3,000 fewer cops hired or rehired in FY11 compared to the FY11 request of $600 million.

Camden and many other cities and towns across the country still need Federal assistance to help them get through this difficult economic period, and that is exactly what this amendment is designed to do.

By restoring funding for COPS Hiring grants, Camden and other municipalities across the country could get grants to cover the 3-year cost of rehiring officers they were forced to lay off or of hiring new officers they need but have been unable to afford. After 3 years, when the economy is expected to be in much better shape, these municipalities would be required to take on the costs of these officers.

While I support the gentleman's amendment and strongly believe we should restore funding for the COPS Hiring Program, I am deeply concerned about the offset the amendment relies upon.

NASA's Cross-Agency Support account funds many of the vital efforts of the NASA centers across the country. Currently, there is a backlog of deferred maintenance needs at NASA facilities, and this backlog has been growing at the rate of about 9 percent a year. Cutting funding for this account will only make NASA's maintenance backlog worse and will impede NASA's mission.

We need to fund both NASA's Cross-Agency Support and COPS Hiring at adequate levels, and I hope, by the end of this process, we can find a way to do that.

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

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

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

Mr. DEFAZIO. When I was first elected to office, I served with a very conservative Republican, and he used to say that government is about roads and rope.

He was talking about the basis for our system here in America—the basics. He was talking about transportation, the Boston Post Road, the original roads of America that tied a young Nation together on rope. He was talking about law enforcement here on Earth, law enforcement protecting American citizens from criminals.

Now, somehow the Cross-Agency Support account, which is an unbelievable catchall slush fund at NASA which has grown in the last 2 years from $550 million to $3 billion and which will actually be increased in this continuing resolution by $36 million, is more important than defending the American people from criminals, from lawbreakers, which is the most basic requirement of the Government of the United States.

Now, this isn't even like real stuff at NASA. It's not the fantasy about going to Mars or any of the other things they're engaged in for many billions of dollars.

□ 2240

This is a cross-agency support budget which has gone up six times, 600 percent in 2 years, and it's going to go up again here today, and we're going to slash the heck out of the COPS program. Now, go home and explain that to your constituents. You can't even say, Look up there, because it's not a satellite. It's not headed to the Moon or to Mars. You have to say, Hey, it's the cross-agency support budget at NASA, and when the criminal is breaking down your door, call NASA. That probably isn't going to work too well.

This not only supports police on the streets in overstretched agencies, it supports—and we've had a lot of talk about urban America—sheriffs in our rural areas which are woefully unpoliced, and in my district we've got money out of this account which you're cutting by 65 percent to go after methamphetamine manufacturing and Mexican cartels moving methamphetamine up the West Coast of the United States. We're going to cut that 65 percent because it's more important that we fund the cross-agency support budget of NASA and we increase it by 600 percent in 2 years and we decrease funding for COPS and sheriffs and drug reduction in our communities, in our schools, in our rural areas by 65 percent.

Well, you go on home and campaign on that, and I will be campaigning on my issues.

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

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

Mr. PASCRELL. We used to argue at one time on this floor whether or not to help communities to support the police department. We argued here on this floor as to whether this was a Federal issue, whether the Federal Government had any responsibility in terms of firefighters—I remember the debates—and police officers, and we made a decision on a bipartisan basis that it was a responsibility because we needed to protect the homeland.

So Democrats and Republicans supported the protection in trying to help communities fight crime and put out fires. We made that on a bipartisan basis, and it is a shame that we do not even consider the COPS program as part of homeland security because, if you don't have it here, you have it nowhere. This is a security issue. It is a priority. How many officers in the past 2 months have been shot down doing their job in this country? Double last year. And we know that small communities and large communities have taken advantage of the COPS program. This is important to our communities.

I was a mayor of the third largest city in New Jersey. I know what those police officers on the street in the communities mean to protecting folks in my town where I still live. I know the results. Since 1992, I know those results inside and out. You heard Mr. WEINER, who showed us the charts about what it has meant right across the United States of America. We're making a big mistake here. Throughout the United States of America, everybody, citizens know that when they see police officers walking the beat, they know there is a priority that the Federal Government has not forgotten.

I ask you, you cannot do to police officers and you cannot do to firefighters what this budget, at least for the next 6 months, is being represented by the other side. We are going to take up a FIRE Act pretty soon, the SAFER Act pretty soon with our firefighters. We can't do this. We can't pat them on the back and say, Great job. We can't go to the parades and say, Look at this; this is the protection we have in America, and do this in a program that's successful.

No one has stood and questioned the success of either of these programs. No one. I haven't heard one word tonight. If a program wasn't working, if cops weren't doing their job on the beat, then you'd stand and you would defend that particular position.

This is not the way to do it. This is not the way to protect the homeland. This is not the way to pat police officers on the back and then send them out there without the resources and without their brothers and sisters fighting alongside of them to protect the United States of America.

Mr. Chairman, this is a very serious problem. We argue vociferously on this floor to protect the soldier in the field in foreign lands. I'm here today to support DEFAZIO, WEINER, and the rest of the folks who have talked on this, to defend our police officers on the street. We owe them no less. I ask you to restore this money, the money that has been taken away in this 7-month budget. I don't think it's fair, and I don't think it's wise.

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

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

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

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

Mr. SCOTT of Virginia. Mr. Chairman, I move to strike the last word.

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

Mr. SCOTT of Virginia. Mr. Chairman, the CR's proposal before us proposes to cut $190 million from juvenile justice programs. That cut is shortsighted and misguided. Cutting effective crime prevention programs is penny wise and pound foolish because we have reams of research and demonstration programs to show that evidence-based crime prevention programs save a lot of money in avoided law enforcement, victim, incarceration, and

other expenditures and actually save more than the programs cost.

The current Justice Department is making excellent progress in assuring that crime prevention programs and funding are only used for those programs that have proven their effectiveness through vigorous evaluation and study and programs that have shown their effectiveness. I can see that cutting unproven programs as a result of earmarks that haven't gone through that vigorous demonstration would be appropriate, but the programs in the Justice Department should not be cut.

Mr. Chairman, there are a lot of organizations that have written in opposition of the cuts in the juvenile justice programs. They include the National Disability Rights Network, the Campaign for Youth Justice, the Children's Law Center, the National Council for Community Behavioral Healthcare, The Afterschool Alliance, the Campaign for Fair Sentencing of Youth, and the Coalition for Juvenile Justice.

Mr. Chairman, last month we passed a tax bill that increased the deficit by $400 billion a year for 2 years. Now, we obviously need to cut the budget to pay for those tax cuts, but cutting funding for juvenile justice programs that are proven to save more money than they cost is not the right thing to do. We need to defeat this bill and come back with a bill that fully funds the juvenile justice programs so that we can save money and reduce crime.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 1333. (a) The percentage limitations on transfers between appropriations of the Department of Justice described in section 205 of division B of Public Law 111–117 shall not apply to funds provided by this division to the Department of Justice, or provided under previous appropriations Acts to the Department of Justice that remain available for obligation or expenditure in fiscal year 2011, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the Department of Justice.

(b) The transfer authority provided in subsection (a) shall pertain only to transfers into the following accounts: ''Department of Justice, Salaries and Expenses, United States Attorneys''; ''Department of Justice, United States Marshals Service, Salaries and Expenses''; ''Department of Justice, Federal Bureau of Investigation, Salaries and Expenses''; ''Department of Justice, Drug Enforcement Administration, Salaries and Expenses''; ''Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, Salaries and Expenses''; and ''Department of Justice, Federal Prison System, Salaries and Expenses''.

(c) Any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of division B of Public Law 111–117 and shall not be available for obligation except in compliance with the procedures set forth in that section as amended by this division.

SEC. 1334. Notwithstanding section 1105, the proviso limiting the use of funds under the heading ''National Aeronautics and Space Administration, Exploration'' in division B of Public Law 111–117 shall not apply to funds appropriated by this division.

SEC. 1335. (a) Notwithstanding section 1101, the level for ''National Aeronautics and Space Administration, Space Operations'' shall be $5,946,800,000.

(b) The proviso specifying amounts under the heading ''National Aeronautics and Space Administration, Space Operations'' in division B of Public Law 111–117 for operations, production, research, development, and support of the Space Shuttle and the International Space Station and for Space and Flight Support shall not apply to funds appropriated by this division.

AMENDMENT NO. 78 OFFERED BY MR. OLSON

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 205, line 25, after the dollar amount insert ''(reduced by $517,000,000) (increased by $517,000,000)''.

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

□ 2250

Mr. OLSON. Mr. Chair, I rise today in support of my amendment to shift funds in the NASA budget. I appreciate the work that Chairman WOLF and his colleagues have put into drafting this bill. I know how tough it must have been. We were elected to make tough decisions, to cut spending, and to put our fiscal house in order. In our Nation's current fiscal situation, we must set clear and prudent guidelines on how our limited tax dollars are spent. I propose today that we set such limits within NASA to get better use out of our money.

Climate research is currently conducted in 16 different agencies, including NASA, and received over $35 billion through stimulus and last year's appropriations bills. Human space flight is conducted in exactly one agency, NASA. In this tight budget cycle, we must reduce duplicative spending and target our resources where they will be most beneficial. The 15 other agencies conducting climate research can pick up the slack while freeing up resources for NASA to make a truly unique contribution, maintaining U.S. dominance in human space flight.

Accordingly, my amendment proposes to reallocate $517 million that could be spent on NASA's science programs so that it will instead be available to maintain stable operations for human space flight. The amendment does not—does not change the overall NASA funding level. It simply reallocates within the total.

I understand the tough task this CR has been for our appropriators. It is never easy to tell people they must do more with less. NASA has been doing more with less for almost a decade, and that is why I am offering this amendment.

I appreciate this opportunity to discuss NASA priorities with Chairman WOLF and my colleagues. And I ask for Chairman WOLF's commitment to work with me going forward as we begin the appropriations process for fiscal year 2012, to ensure that we orient NASA away from duplicative climate research missions and back to its unique human space flight mission.

Mr. Chair, I would like to yield to Chairman WOLF for the purpose of engaging in a colloquy.

Mr. WOLF. I thank the gentleman.

It's my understanding that the gentleman is withdrawing the amendment. I want to thank the gentleman for raising some critically important points about the value of NASA's human exploration program and the need to fully support it. And no one is a stronger supporter of NASA than the gentleman from Texas, except maybe Mr. CULBERSON who is equally supportive.

I share his concern with ensuring exploration is adequately funded and that NASA remains on a clear path to achieve the human space flight goals laid out in last year's authorization. I will be happy to work together as closely as we possibly can to finish FY 2011 and move forward into FY 2012 to maintain a robust human space flight program at NASA, just as Mr. OLSON would like it to be.

In doing so, I agree that it will be necessary to identify and eliminate duplicative, wasteful, or lower-priority activities in NASA's science programs or any other NASA account, for that matter, so that we can remain on a sustainable overall budget path. I look forward to working with the gentleman and our colleagues who support NASA and thank him for his continuing efforts in this area.

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

Ms. JACKSON LEE of Texas. I move to strike the last word.

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

Ms. JACKSON LEE of Texas. I rise to support the amendment that Mr. OLSON has offered, and I am delighted that we have the opportunity to work together collaboratively with the chairman and with Mr. DICKS on this very important issue.

I would like to say publicly that Democrats and Republicans in the State of Texas have worked enthusiastically together on supporting NASA and human space exploration. I'm sorry that I will not have the opportunity to support Mr. OLSON's amendment or vote for it. He is absolutely right, human space flight is conducted in exactly one agency, NASA, and the general Houston area and Texas are impacted enormously. We have already lost 4,000 jobs. There will be a decrease of $1 billion going to NASA Johnson. That will impact the transition, if you will, in human space exploration. One very well known member of our community, Captain Mark Kelly, the husband of our dear and beloved Member, Congresswoman GIFFORDS, will have the opportunity to be on one of the final shuttles.

But what most of us are not aware of, because our memory fades, is how much we gained from human space exploration. Research in HIV/AIDS and

stroke and heart disease and weather research, all improving the quality of life for Americans. So I stand solemnly behind continuing to fund human space exploration and join Mr. OLSON in the leadership that he has given.

This is a tight budget, but the President talked about investing in competitiveness, creating jobs. NASA creates jobs. It creates jobs for small businesses. It creates jobs for large contractors. It creates thousands upon thousands of jobs. So I hope in this instance that we can speak in a bipartisan manner to speak to the administration on the value of continuing to support NASA. It is difficult when we have a CR that, in fact, is cutting millions from the NASA budget, and I would hope that there would be a recognition that it is important to put $517 million back into NASA, as was offered by this amendment.

I can't imagine a Nation without the ability for young people to aspire to the heights of those who have gone on before, those who have been astronauts, those who have explored the skies, those who have done enormously important research on the various trips that have been taken that have provided the research and as well the space station which has been an enormous asset that has brought international partners together and helped develop science that could not be developed before.

Having traveled to most of the centers that are under the NASA administration, each and every one that I have been to has had the quality of staff that have been doing their job in the name of progress for the American people. So I'm disappointed with this CR that has caused these enormous cuts, and I would hope that we have the opportunity to restore them.

Where are we if we quash the genius of America? Where are we if we extinguish the dreams of young students and scientists around America? Where are we if we quash the jobs that can be created by science? NASA is an asset and a jewel. And I hope together in this Congress, and of course working together with the administration, we can realize it once and for all. Why we have to battle so hard for something that has done so much for the American people baffles me. I look forward to the reinvestment in science and competitiveness. I thank the gentleman for his leadership, and I hope we'll be able to work in a bipartisan manner.

I yield back the balance of my time.

Mrs. ADAMS. Mr. Chair, I move to strike the last word.

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

Mrs. ADAMS. Mr. Chairman, I rise today to join my colleague, Representative OLSON, in support of an amendment to transfer $517 million out of NASA's climate change research fund and into human space flight, a proven economic driver and job creator. This amendment sends a clear message to both the administration and the leadership of NASA that it is Congress' intent that human space flight should not and cannot be ignored or marginalized.

As Representative OLSON just mentioned, the purpose of this amendment is to highlight the administration's approach to NASA and the direction in which it's heading. At a time when unemployment is at 12 percent in Florida and 9 percent nationwide and our country is facing trillion-dollar deficits, I believe that limited Federal funds are better invested in NASA's human space flight program, not climate change research. Doing so will help to put people back to work and stimulate the economy.

For the last half century, the United States has made a commitment to human space exploration, creating thousands of jobs and contributing to the economies of places like central Florida, Texas, Mississippi, and Alabama.

With the shuttle program winding down and the Constellation program no longer a priority for this administration, I want the American people listening today to understand the fear and uncertainty felt by hardworking families throughout central Florida and the 24th District. They need to know the great benefits that NASA's human space flight program has brought to this Nation in the past and how a policy shift from NASA-administered human space flight to increased research on potential climate changes would devastate the economy of central Florida and many other regions of our country.

□ 2300

The facts are that in Fiscal Year 2010, the President designated $1.2 billion of NASA's total budget towards climate change research. This is on top of the 16 separate agencies and departments outside of NASA that spent an additional $8.7 billion on climate change research in the same fiscal year. Now the President's Fiscal Year 2012 proposed budget allocates even more funding for this type of research.

As NASA's human spaceflight program hangs in the balance, and the tens of thousands of jobs the program supports along with it, it is time for Congress to return NASA's directives and goals back to the congressional intent and the original agency mission: keeping America in front as a global leader in space exploration and helping to rebuild struggling communities in the process.

In closing, I would like to thank Representatives OLSON and POSEY for working with me in drafting this amendment, and to Chairman WOLF for agreeing to work with our offices as the regular Fiscal Year 2012 appropriations process proceeds.

Mr. OLSON. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

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

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

Mr. SCHIFF. I will be very brief since the gentleman withdrew the amendment.

I am a big fan and supporter of our manned spaceflight program, which I think has just an extraordinary record of achievement and is enormously important to our position in the world in terms of our leadership in science. It is also very important to many of the space centers around the country in terms of the important jobs that it provides.

But I don't want to see us rob Peter to pay Paul within the sciences, to go after the earth sciences budget, which is also critically important to the Nation's future. When we look at some of the breathtaking and disastrous weather patterns that we have seen around the world, whether it was the incredible and tragic flooding in Australia or that in South America, the ability to understand better the nature of our climate and climate change is not only extraordinarily important in terms of saving lives but in terms of understanding what is happening to our planet.

We also derive a lot of commercial benefits from our investment not only in earth science but space science as well. These investments pay enormous dividends in technologies that have become a part of all of our homes now. So this is investment that I think we want to continue to make and make strongly.

And while I, again, am a fervent supporter of our manned spaceflight program, I don't think any one portion of our space budget or science budget ought to be cannibalizing the other. We do have to make sacrifices, and we're going to have to scrutinize every program that is not working well or not efficient, eliminate any waste, eliminate even programs that are working but not working well enough.

But in terms of our investment in the future, in terms of our investment in understanding our planet, it would be, I think, very shortsighted for us to be cutting those budgets and cutting that vital research.

I thank the gentleman for withdrawing the amendment.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 1336. (a) Notwithstanding section 1101, the level for ''National Aeronautics and Space Administration, Cross Agency Support'' shall be $3,131,000,000.

(b) The set-asides under the heading ''National Aeronautics and Space Administration, Cross Agency Support'' in division B of Public Law 111–117 for center management and operations, independent verification and validation activities and projects specified in the explanatory statement accompanying that Act shall not apply to funds appropriated by this division.

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

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

Mr. LIPINSKI. I rise today to discuss an amendment that I filed with Mr. WU of Oregon but will not be offering. Instead, in a minute, I will be engaging Chairman WOLF in a brief colloquy.

Our goal is simple: to preserve funding at fiscal year 2010 levels for two critical National Weather Service programs. We drafted this amendment because these are two programs that save lives.

Many Americans might not realize it, but the weather forecasts we all get from the Internet, the Weather Channel, or from local TV or radio are all built on the raw data provided by the National Weather Service. These are the same weather reports that are relied upon every day by emergency responders, pilots, and sailors.

My goal is to protect local warnings and forecast centers around the country, along with the Severe Storms Center, the National Hurricane Center, and the Aviation Weather Center. Without these centers, we wouldn't have daily forecasts or flood warnings, and air travel would be significantly more dangerous.

The National Weather Service has been essentially flat funded since 1995. Much of their equipment is in need of repair or replacement. As a country, we simply cannot afford to cut back any further on the service that saves lives, allows us to plan for and respond to weather emergencies, and enables air travel. I am concerned about the adverse impact that this cut could have on essential services.

I understand that my colleague from Virginia, Chairman WOLF, shares some of my concerns, and I'd like to engage in a brief colloquy on this topic.

Mr. Chairman, I know that this legislation requires the Department of Commerce to produce a spending plan that explains how they will implement these cuts. Would you be willing to work with me to make sure the plan NOAA produces reflects the important work done by the National Weather Service and does not adversely affect critical services.

Mr. WOLF. Will the gentleman yield?

Mr. LIPINSKI. I yield to the gentleman from Virginia.

Mr. WOLF. I appreciate the gentleman's concern. He makes a very, very powerful point. I completely agree with him. These are important programs, as are many others in the bill, and we will ensure that as we review the FY 2011 spend plan that all NOAA's important activities are sufficiently funded.

I also, I might say, have a large weather service presence in my district and appreciate their hard work, and it's one of the more important things that NOAA does with regard to the weather.

I thank the gentleman for withdrawing his amendment, and I look forward and promise to work with him on these issues to resolve it, that we protect the issues that the gentleman's raising.

Mr. LIPINSKI. Reclaiming my time, I thank Chairman WOLF, and I appreciate your willingness to work with me on this important issue.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 1337. (a) Notwithstanding section 1101, the level for ''National Aeronautics and Space Administration, Construction and Environmental Compliance and Remediation'' shall be $408,300,000.

(b) The set-asides under the heading ''National Aeronautics and Space Administration, Construction and Environmental Compliance and Remediation'' in division B of Public Law 111–117 for science research and development activities, exploration research and development activities, space operations research and development activities, and cross agency support activities shall not apply to funds appropriated by this division.

SEC. 1338. (a) Transfer limitations for the National Aeronautics and Space Administration described in the Administrative Provisions of division B of Public Law 111–117 shall not apply to funds available under the following headings: (1) ''National Aeronautics and Space Administration, Aeronautics''; (2) ''National Aeronautics and Space Administration, Space Operations''; and (3) ''National Aeronautics and Space Administration, Education''.

(b) Any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of division B of Public Law 111–117 and shall not be available for obligation except in compliance with the procedures set forth in that section as amended by this division.

SEC. 1339. (a) None of the funds made available by this division may be used for the National Aeronautics and Space Administration or the Office of Science and Technology Policy to develop, design, plan, promulgate, implement, or execute a policy, program, order, or contract of any kind to participate, collaborate, or coordinate in any way with China or any Chinese-owned company unless such activities are specifically authorized by a law enacted after the date of enactment of this division.

(b) The limitation in subsection (a) shall also apply to any funds used to effectuate the hosting of official Chinese visitors at facilities belonging to or utilized by the National Aeronautics and Space Administration.

SEC. 1340. Notwithstanding section 1101, amounts are provided for ''Legal Services Corporation, Payment to the Legal Services Corporation'' in division B of Public Law 111–117 in the manner authorized in Public Law 111–117 for fiscal year 2010, except that for fiscal year 2011 the amounts specified in division B of Public Law 111–117 shall be modified by substituting—

(1) ''$350,000,000'' for ''$420,000,000''; and

(2) ''$324,400,000'' for ''$394,400,000''.

AMENDMENT NO. 173 OFFERED BY MR. COHEN

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 208, line 14, after the first dollar amount within the quotes, insert ''(increased by $70,000,000)''.

Page 208, line 15, after the first dollar amount within the quotes, insert ''(increased by $70,000,000)''.

Mr. WOLF. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from Tennessee is recognized for 5 minutes.

Mr. COHEN. I'm pleased to offer this amendment, of which many members of the Judiciary Committee have worked on behalf of legal services in the past. Many members of the Judiciary Committee have championed legal services over the years, none greater than BOBBY SCOTT, who's been a member of the committee for some time, and the current ranking member, Mr. CONYERS, Mr. NADLER, Ms. JACKSON LEE and others.

Legal services is so important to giving people representation, and this amendment will restore $70 million that's being cut from the Legal Services Corporation. That's 17½ percent of the money legal services got in the past. Legal services is already woefully underfunded. If you look at the funding they've gotten over the last 30 years and prorate it, they've been behind in funds for a long time, and we've tried to make that up in the past years. Right now they turn away half of all eligible clients who seek assistance. Slashing these funds would make it even worse. And the fact is, in these dire economic times, some of the worst we've seen, although they're getting better, more and more people need legal services.

The housing crisis is not over with, and one of the major areas they work with is people who are having problems with foreclosures because of unscrupulous loans that they've been given, and there will be more and more people losing their homes or potentially losing their homes needing legal services. And if they don't have legal representation and they lose those homes, neighborhoods are hurt, individuals are hurt, and that is a major cost on the economy.

□ 2310

The executive director of Memphis Area Legal Services, Harrison McIver, said the cuts would be devastating to Memphis Area Legal Services, and it would be devastating to their capacity to remain an effective advocate and resource for low-income individuals with all the civil legal problems that they may have. It would require laying off at least five attorneys and taking 725 fewer cases.

Memphis Area Legal Services, as other legal service clinics, help victims of domestic violence, as well as with protective orders from abusive partners, as well as assisting folks with foreclosures and elderly people who have been victimized by predatory lenders. Think about how many victims of domestic abuse will be in danger without access to the courts, how many families will become homeless without this foreclosure assistance, and how many seniors would fall prey

to predatory loans without legal help. How many of our vulnerable citizens will have the courthouse door closed in their face?

The fact is, Mr. Chairman, that legal services is more needed in dire economic times than at any other time. And I understand the majority's positions about saying they were elected to make cuts. They weren't elected to make cruel cuts that hurt the most vulnerable people in situations that aren't of their own making, and who fall prey to predatory lenders or abusive spouses or people who prey on seniors in abusive ways. This is targeting the most vulnerable people in our society.

I realize that there isn't an offset on this, and I realize the reason Mr. WOLF has made his point. I understand, too, somewhat, and feel a little bit of kinship with the Roman gladiators who, when they went into the field of combat, told the emperor that, We who are about to die salute you. And knowing kind of what the situation is, I also understand that ave imperartor moriture te salutant.

I yield back the balance of my time.

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

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

Mr. SCHIFF. I want to speak in support of what my colleague from Tennessee has said. In the United States, access to justice shouldn't be available only for those who can afford it.

I think most Americans recognize that we have an out-of-control deficit and debt, that we need tough action to deal with that, and I think Americans, irrespective of party, are ready to make sacrifices. The President's budget I think indicates that there are going to be some tough days ahead, and there are going to be some of the efforts we have supported in the past that we can't afford to support anymore.

But at the same time, I think the American people recognize that there is a lot of waste in government that can be eliminated without harming people; that a lot of inefficiencies can and must be eliminated; but they also don't want in these difficult economic times for our first steps to be to take away vital resources from those who are most in need or from middle-income families that are trying to stay in their homes.

One of the reasons why legal services has been so busy in the last several years is because of the foreclosure crisis, where many who are being forced out of their homes who can't afford counsel have nowhere to turn and have increasingly turned to legal services for help in trying to get them to stay in their home.

Imagine what we are telling those families that are struggling to stay in their homes that we are now going to defund the lawyer that's been helping them. I don't think that's where we need to go in order to balance our budget.

Legal Services Corporation is the largest funder of legal services for low-income Americans and for the growing population of Americans who have no income because they can't find work. Legal Services helps ensure representation before courts and is available to all Americans no matter what their income, their station in life, or what their circumstances happen to be.

LSC-funded programs help single women trying to keep their families together, victims of domestic violence, elderly Americans trying to avoid foreclosure, and an increasing number of veterans arriving home from service in Iraq and Afghanistan who are unable to find jobs.

Federal funding for LSC makes up only 40 percent of the operating income of those programs. The rest comes from State funding, support from the private bar, and funds from lawyer trust accounts; but the economy that is sending more people to the door of legal aid offices than at any time in history has also sapped those other sources of funding. The CR cuts legal services to the poor by $70 million. That's a 17 percent cut compared to the current level.

Again, there is no question we need to find savings in the budget, and we are and we will, and we stand ready to work with our colleagues across the aisle to fund cuts that make sense. But to make a drastic cut to a program at a time that it is keeping people in their homes and where people are struggling most is not the most propitious place to find savings.

I yield back the balance of my time.

Mr. WOLF. I continue to reserve my point of order.

Mr. SCOTT of Virginia. Mr. Chairman, I move to strike the last word.

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

Mr. SCOTT of Virginia. Mr. Chairman, I thank the gentleman from Tennessee for offering the amendment and the gentleman from California for his remarks.

Legal Services Corporation programs are forced to already reject over half the cases that come before them. This cut found in the CR only makes matters worse by requiring the firing of hundreds of Legal Services Corporation attorneys.

Mr. Chairman, our justice system promises fairness to all litigants; but when people are unable to afford a lawyer, they are vulnerable to being ripped off in consumer transactions, vulnerable to unnecessary evictions, or unable to afford a divorce or resolve child custody disputes.

Mr. Chairman, we need to make sure that justice is more than just an idea. One Supreme Court Justice suggested that the kind of justice one gets should not depend on the amount of money they have. Two months ago, we passed a tax cut that gave significant tax relief to multimillionaires. It would be tragic if Legal Services Corporation funding for legal aid lawyers was cut to help pay for those tax cuts to multimillionaires.

Mr. Chairman, the Legal Services Corporation needs to be fully funded. We should defeat this CR and come up with a continuing resolution that fully funds the Legal Services Corporation. Again, I thank the gentleman from Tennessee and the gentleman from California.

I yield back the balance of my time.

Mr. WOLF. I continue to reserve my point of order.

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

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

Mr. SERRANO. You know, if you stay around here long enough, you see very interesting things happen.

As I look at my friend—and when I say ''my friend,'' I really mean that, Mr. WOLF, and I think of the chairman of the full committee, Mr. ROGERS, I am reminded of the fact of two very interesting things. One, that it was Mr. WOLF and I, and Mr. ROGERS and I, who made sure during some very difficult years a long time ago that the Legal Services Corporation would stay alive and grow and strengthen itself and support those who needed help in our community. As I said, if you stay around long enough, then you see the other side, which is the same folks accepting a cut that would devastate this agency.

The other irony is, as I said so many times years before when I was the ranking member on this committee and some folks would try to cut it, that this was President Nixon's baby. This was one of the highlights, I believe, of his career, that he felt that every American had the right to legal representation.

So in the times that we are in and with the desire of some folks to go after certain agencies, the Legal Services Corporation becomes a good target; but it indeed is a bad target to go after, because as we hear more and more talk about protecting, supporting, and keeping the Constitution alive, what better show than to allow folks legal representation?

When we say life, liberty, and the pursuit of happiness, all that has certain meaning to me, and it has certain meanings to all of us; but at the center of that may be the ability to have representation and to have your day in court. There are folks that can't afford a lawyer, and the Legal Services Corporation has helped them.

Now, mind you, throughout the years folks like myself have accepted the fact that they have great limitations placed on them. There are a lot of things they can't do, but there are still a lot of good things that they can do.

So I would hope we could support this amendment; but more than that, I would hope that as we look, sadly, forward to this massive behavior of cuts across the board, that we realize that there are some basic needs and basic

protections that we need. This is one of them. And this is a sad day, indeed, when I see so many of us who worked to preserve the Legal Services Corporation now engaged in seeing, perhaps, its demise.

I yield back the balance of my time.

□ 2320

The Acting CHAIR. Does the gentleman from Virginia continue to reserve his point of order?

Mr. WOLF. I do, Mr. Chairman.

Ms. JACKSON LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

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

Ms. JACKSON LEE of Texas. Thank you very much, Mr. Chairman.

I had intended to offer an amendment similar to the gentleman from Tennessee's that strikes the elimination of $75 million. Rather than do that, I am going to join in support of the gentleman from Tennessee's amendment. Mine was striking the full $75 million that was being taken from the Legal Services Corporation.

Earlier today I was on the floor explaining what a continuing resolution is, because I know more than my colleagues are listening. What would actually happen if this cut was to go through is, frankly, that the services to the poor, meaning cases who are now in court, cases that are proceeding, would be suspended in air. Frankly, you would deny justice to those who have begun to get some relief. This cut will impact 136 nonprofit Legal Services offices. It will frankly cut 300 Legal Aid attorneys; 136 offices across America.

This $75 million will stop Mr. and Mrs. Jones in the middle of representation to save their home. This cut will stop Mrs. Smith from being able to get relief from a domestic violence situation, because her lawyer, or that family's lawyer, will be fired. This cut will stop someone who has been defrauded. Some senior citizen who paid a contractor to fix their leaking roof in midstream will lose their lawyer. This is a denial of justice. Having had the privilege today of visiting the construction site of the Martin Luther King Memorial, it was interesting that I read these words: ''Injustice anywhere is injustice everywhere.'' And for us to cut the very framework of the Constitution that calls for justice, I believe, is something that should halt us on the very floor of this House and we should immediately accept the amendment without the point of order and allow these individuals to have the ability to be served. Frankly, this is beyond the imagination of any of us. The board chairman, John G. Levi, of the Legal Services board said, ''Justice is a hollow promise without the Legal Services Corporation.'' He is absolutely right.

And as I indicated, I, too, wanted to strike the elimination of $75 million from the Legal Services Corporation, but the greater insult is the fact that work that is proceeding as we speak would be eliminated: 300 lawyers, 136 nonprofit offices and how many hundreds upon hundreds and maybe thousands of clients who would not have the opportunity to be served.

So I would ask my colleagues to consider what we do here in this place and to consider what a continuing resolution will do midstream similar to the point I made earlier about resources that could be taken from the section of the Department of Justice that would enforce the Voting Rights Act. It means that you would stop cases dealing with the enforcement of the right to vote. Let us not deny justice tonight. I would ask my colleagues to support the adding back of the $70 million to the Legal Services Corporation.

POINT OF ORDER

Mr. WOLF. Mr. Chairman, I must insist on my point of order.

I wanted to just say, I appreciate the comments of the gentleman from New York (Mr. SERRANO) and the Members on the other side of the aisle. I share many of his concerns. However, as the gentleman knows, there is not an offset to this bill and the amendment proposes a net increase in budget authority in the bill. The amendment is not in order under section 3(j)(3) of House Resolution 5, 112th Congress, which states, ''It shall not be in order to consider an amendment to a general appropriations bill proposing a net increase in budget authority in the bill unless considered en bloc with another amendment or amendments proposing an equal or greater decrease in such budget authority pursuant to clause 2(f) of rule XXI.'' The amendment proposes a net increase in the budget authority in the bill. Therefore, it is in violation of such section.

I ask for a ruling of the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. I respect the chairman and I know that he has, as the gentleman from New York said, has his own commitment.

I consider this an emergency and would only make the point that whether or not a point of order could be waived, in light of the fact that cases that are now in litigation would be in essence left without representation either for the client or for the case. I consider it a legal emergency, an emergency dealing with justice questions, and I would ask that the point of order be waived.

The Acting CHAIR. The Chair is prepared to rule.

The gentleman from Virginia makes a point of order that the amendment offered by the gentleman from Tennessee violates section 3(j)(3) of House Resolution 5.

Section 3(j)(3) establishes a point of order against an amendment proposing a net increase in budget authority in the pending bill.

The Chair has been persuasively guided by an estimate from the chair of the Committee on the Budget that the amendment proposes a net increase in budget authority in the bill. Therefore, the point of order is sustained. The amendment is not in order.

AMENDMENT NO. 110 OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

Mr. DUNCAN of South Carolina. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 208, line 14, after the first dollar amount inside the quotes, insert ''(reduced by $324,400,000)''.

Page 208, line 15, after the first dollar amount inside the quotes, insert ''(reduced by $324,400,000)''.

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

Mr. DUNCAN of South Carolina. Thank you, Mr. Chairman. I won't take the full time here.

This amendment deals with the Legal Services Corporation, which is a relic from the Great Society, originally known in the 1960s as the Office of Economic Opportunity Legal Services, and later renamed.

Folks, let me remind you that we have a trillion-and-a-half-dollar deficit spending and we have $14 trillion in debt. We can't afford to keep paying for liberal trial lawyer bailouts like the LSC. This is low hanging fruit if we are serious about cutting spending in this body. This is exactly the kind of program that we would be cutting if we had a Byrd-style committee in place. That's why we need to pass House Resolution 82.

This amendment effectively zeros out the LSC, allowing only a small amount for agency audits to continue. This cut is in the DeMint-Jordan Spending Reduction Act, which would eliminate the program entirely.

A number of groups have advocated for the abolition of the LSC. Human Events describes the LSC as one of the top 10 ''most outrageous government programs.'' Stephen Moore of the Wall Street Journal calls LSC ''a slush fund for special interests.'' And the Americans for Limited Government's Bill Wilson says: ''This corporation just serves as the legal arm for left-wing causes and should be abolished.''

In noting the LSC's penchant for taking cases it has been legislatively barred from being involved in, the Heritage Foundation declares: ''Obviously, if LSC would stop wasting funds representing people it isn't supposed to, it would have more money to spend representing needy people.''

Americans for Tax Reform calls LSC ''ineffective'' and notes that their ''services are duplicated by State and private agencies.''

And just recently, the Cato Institute notes that the LSC ''too often uses tax dollars for lobbying and other political advocacy activities'' and adds that the LSC ''should be abolished.''

I go back to the amount of debt that we have in this Nation and the deficit spending that we have in this fiscal year. Again, this is low hanging fruit and if we are serious about cutting spending, this is an easy one for us to deal with.

I yield back the balance of my time.

□ 2330

Mr. SCHIFF. Mr. Chairman, I rise in strong opposition to this amendment and move to strike the last word.

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

Mr. SCHIFF. We can have reasonable debates about the deficit situation and the actions that should be taken, but I don't think the hyperbole that we are hearing is adding to the quality of the debate. When the Legal Services Corporation is described as a ''trial lawyer bailout,'' I think it shows a total misapprehension of what Legal Services does.

For many Americans, tens of thousands of Americans who are at risk of having their house foreclosed out from under them, seeking assistance from Legal Services to stay in your home, that is not a trial lawyer bailout. I don't think people who go to Legal Services because they can't afford an attorney and desperately want to stay in their home feel like they are giving some sort of bailout to trial lawyers when they go to the neighborhood Legal Services and ask for help to stay in their home.

It also has been described as some kind of a bastion for left-wing causes. I don't think it is a left-wing cause to want to help people stay in their house. I don't think it is a left-wing cause when you have veterans coming back from Iraq and Afghanistan who need mental health services and need the advice of counsel and need the help of counsel to get services they are entitled to. I don't think that is a left-wing cause.

I don't think it is a right-wing cause to want to foreclose on someone, and I don't think it is a left-wing cause to want to keep them in their home. I think, frankly, this ought to be all of our cause, that people through no fault of their own who are hardworking but have lost their job as a result of the economy or lost part of their income as a result of the economy and need help to stay in their home, and this is the only place they can get it, the only place they can afford a lawyer, and anyone who has tried to hire a lawyer knows how expensive that is, I don't think that is a left-wing cause, and I just don't think it sheds much light on the debate.

Are there things that can be cut? Yes. Is the President's budget cutting them? Yes. Are there more cuts we are going to have to find? Yes. But let's speak frankly about what this organization does and what it doesn't do. And if my colleagues have issues to take with a particular Legal Services branch in a particular city, then we should take that cause in our committee, the Commerce, Justice, Science Committee, with our chairman, Mr. WOLF, and do oversight to make sure that LSC funds aren't being used to lobby Congress, to make sure that only for permissible purposes are funds being used in LSCs around the country.

The LSCs I think over the last several years have done extraordinarily well under that oversight, and that oversight needs to continue. And where LSCs can operate more efficiently, they are going to have to, because it is not just a problem in terms of the Federal budget, but all the States are cutting back as well.

But I don't think we can really get to the heart of where we can afford to make cuts, where the cuts will inflict the least pain, if we are going to pejoratize the service of a lot of hardworking lawyers out there who work for Legal Services, many of whom offer their services pro bono, who get no compensation whatsoever for the work they provide, and try to demean them by saying this is a trial lawyer bailout.

I yield back the balance of my time.

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

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

Mr. WOLF. I won't go into great length about it. The very fact that the President has failed to address the issue of entitlements, has walked away from his own commission, the Bowles-Simpson Commission that had the support of Senator COBURN and Senator DURBIN, leads you to activity like this. Many times Members are frustrated to deal with this issue.

We have $14 trillion of debt, and in the statement I gave on the floor several weeks ago, I said had I been a member of the commission, I would have voted for it. I think it was a missed opportunity. I also said that failure to address the issue of dealing with Medicare and Medicaid and Social Security will unfortunately result in many times the poor being hurt. In the Bible it says in Proverbs when you give to the poor, you loan to God, and I am sensitive to that. But the very fact that the administration, the President appoints the commission, comes out at a big press conference, and then walks away from it, leads you to some activity like this.

This would wipe out Legal Services, so I strongly urge Members to oppose the amendment, and I urge Members to contact the White House and ask them to support entitlement reform in the Simpson-Bowles package.

Mr. SCHIFF. Will the gentleman yield?

Mr. WOLF. I yield to the gentleman from California.

Mr. SCHIFF. I appreciate your yielding, Mr. Chairman, and I agree with you.

First of all, I appreciate your opposition to the amendment. The big entitlement programs are going to have to be addressed, and what we are doing here in dealing with this small piece of the Federal budget pie, that is, domestic discretionary spending, there is no way we can find enough savings to make a real dent in the magnitude of our deficit and debt. That has to be done. I can understand your frustration about it. It is a frustration I think we all share.

I think the difficulty, frankly, that the administration is having is probably the same difficulty that the majority is having, and that is whoever puts the proposal on the table first gets their head taken off. I think probably the only way to get to ''yes''—and there is no way we are going to be able to reform the entitlement programs in a partisan way; it has to be done in a bipartisan way—is frankly if both parties can come together and put something on the table together. I think that is what is going to have to happen.

But you are right, there is no way we are going to make even a small dent in things until we have that bigger, more important conversation.

Mr. WOLF. Reclaiming my time, I believe that if President Reagan were President of the United States today, he would provide the leadership, because he did in saving Social Security. It was the Greenspan Commission, and he worked with them in a bipartisan way. I think if we had a President like Ronald Reagan, we would be resolving these issues.

With that, I urge opposition to the amendment.

I yield back the balance of my time.

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

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

Mr. SERRANO. The last thing I want to do is prolong this debate this evening. It is getting late. But I think what is happening with these budget cuts, under the disguise of budget cuts, is that we are discussing some very serious issues, and at times we use words or phrases that should not go unchallenged.

So, first of all, I want to thank the chairman of the subcommittee for his opposition to the amendment, because he has got a history of being supportive. And he is a fiscal conservative. He knows that he wants to go after waste and high expenses and programs that don't function well. But he also has always had a belief that the person who may not have the most resources in this society should be given a shot at being protected.

I want to join Mr. SCHIFF in that we have to continue to be careful. To say that this is a trial lawyers' bailout, when we in fact have had incredibly serious bailouts in the last couple of years, that is a bad statement to make.

I am old enough to remember President Nixon, and I don't remember that he went around creating left-wing causes or left-wing programs. Again, I

repeat, and it bears repeating, this was his creation. Because within that complex human being known as Richard Nixon, there were a couple of things that were very interesting to analyze, and one of them was his fundamental belief that everyone in this country needed the ability to be represented and represented properly.

Now, what is ironic is, the same folks who would destroy the Legal Services Corporation will not utter a word as we continue to protect people in this society gaining more power and more wealth and never needing a Legal Services lawyer for one of their issues, one of their cases.

So as we look at these cuts, as we look at this desire to bring down the deficit, as we do all these things that I think on a bipartisan basis we believe have to be done, we also have to pay attention to the fact that we can't destroy that which is fundamentally sound in our society. Cut here and there, I understand that. That train left the station a long time ago. Destroy it? Totally wrong.

Lastly, not to repeat myself, you can't on one hand claim that we need to protect more than ever the Constitution, and tell somebody with a home being foreclosed that can't afford a lawyer that they can't get any assistance. This is the wrong way to go, and I really hope this amendment is defeated and defeated soundly.

I yield back the balance of my time.

□ 2340

Ms. JACKSON LEE of Texas. Mr. Chairman, I move to strike the last word.

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

Ms. JACKSON LEE of Texas. Mr. Chairman, I appreciate the fact that the gentleman from Virginia has opposed this; but I just wonder whether or not there's any shame when it comes to literally gutting the Legal Services Corporation some $324 million and practically eliminating any opportunity for justice. I just want to repeat some of the words that were offered: slush fund for special interests, lobbying, and political activities.

We spent some time in the 1990s on the Judiciary Committee looking closely at the Legal Services Corporation and, frankly, gave generous oversight on some of the issues that might have suggested that there were other activities going on. When the Legal Services Corporation non-profits come from around the Nation, you are seeing members of the bar who are from major law firms, major leaders in the community who are on the boards of these particular services, local offices, and they have the highest standard of legal excellence that they try to portray and therefore try to encourage as relates to the representation of poor people. My brother-in-law, to his death, was a legal services lawyer in New York. Not one time did I see him or hear of him doing anything other than attempting to do justice for people who could not achieve such.

I, frankly, believe when you talk about a continuing resolution, make it very clear: it is stopping programs in the middle of operation. It is closing 136 offices in midstream. It is laying off 300 lawyers in the middle of litigation that they are pursuing to keep Mrs. Jones in her home and to keep an elderly person who's been defrauded by an unscrupulous contractor simply trying to fix an old home. She has no other options sometimes than a legal services lawyer. So I hope that we will see less of this.

Might I just say it's interesting that we have a difference of opinion. Frankly, I don't think the President has walked away from any Financial Commission report. The majority in this House has every opportunity to present their cuts to entitlement and to begin the discussion. The President has not indicated he is not interested. But while we recognize that this House is a revenue-generating House and, therefore, with the responsibility now in the hands of Republicans, it is appropriate for the chairman of the Budget Committee and others to present their proposal for such.

The President's budget cuts the debt. The President's budget has strength in going forward; but it has a purpose: competitiveness; morality; and, of course, to rebuild America. I'm waiting on the Republicans to present their proposal, and I'm sure that we will look closely and be able to work in a bipartisan manner. But I would vigorously oppose any cuts of this measure at all to the Legal Services Corporation, which is a mark for justice in this country.

I yield back the balance of my time.

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

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

Mr. DUNCAN of South Carolina. Mr. Chairman, I demand a recorded vote.

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

The Clerk will read.

The Clerk read as follows:

SEC. 1341. Section 505(a)(1) of division B of Public Law 111–117 is amended by inserting '', unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds'' before the semicolon.

SEC. 1342. Of the funds made available for ''Department of Commerce, Bureau of the Census, Periodic Censuses and Programs'' in division B of Public Law 111–117, $1,740,000,000 is rescinded.

SEC. 1343. Of the unobligated balances available for ''Emergency Steel, Oil, and Gas Guaranteed Loan Program Account'', $48,000,000 is rescinded.

SEC. 1344. Of the unobligated balances available to the Department of Justice from prior appropriations, the following funds are rescinded, not later than September 30, 2011, from the following accounts in the specified amounts: (1) ''Office of Justice Programs'', $42,000,000; and (2) ''Community Oriented Policing Services'', $10,000,000.

TITLE IV—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES

SEC. 1401. All of the provisos under the heading ''Corps of Engineers—Civil, Department of the Army, Construction'' in the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1402. The proviso under the heading ''Corps of Engineers—Civil, Department of the Army, Mississippi River and Tributaries'' in the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1403. The fifth proviso (regarding the San Gabriel Basin Restoration Fund), seventh proviso (regarding the Milk River Project) and eighth proviso (regarding the Departmental Irrigation Drainage program) under the heading ''Department of the Interior, Bureau of Reclamation, Water and Related Resources'' in the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1404. All of the provisos under the heading ''Department of Energy, Energy Programs, Energy Efficiency and Renewable Energy'' in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1405. All of the provisos under the heading ''Department of Energy, Energy Programs, Electricity Delivery and Energy Reliability'' in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1406. The proviso under the heading ''Department of Energy, Energy Programs, Nuclear Energy'' in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1407. The second proviso under the heading ''Department of Energy, Energy Programs, Fossil Energy Research and Development'' in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1408. All of the provisos under the heading ''Department of Energy, Energy Programs, Science'' in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1409. The thirteenth proviso (regarding Commission funding) under the heading ''Department of Energy, Energy Programs, Nuclear Waste Disposal'' in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1410. All of the provisos under the heading ''Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Weapons Activities'' in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1411. The proviso under the heading ''Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Defense Nuclear Nonproliferation'' in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1412. All of the provisos under the heading ''Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Office of the Administrator'' in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1413. The proviso under the heading ''Department of Energy, Atomic Energy Defense Activities, Environmental and Other Defense Activities, Defense Environmental Cleanup'' in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1414. The proviso under the heading ''Department of Energy, Atomic Energy Defense Activities, Environmental and Other Defense Activities, Other Defense Activities'' in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1415. The fifth proviso under the heading ''Department of Energy, Power Marketing Administrations, Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration'' in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1416. Sections 105, 106, 107, 110 through 125, 205 through 211, 502, and 506 of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1417. In addition to amounts otherwise made available by this division, $50,000,000 is appropriated for ''Department of Energy, Energy Programs, Advanced Research Projects Agency—Energy''.

□ 2350

AMENDMENT NO. 192 OFFERED BY MRS. BIGGERT

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 213, line 19, after the dollar amount insert ''(reduced by $50,000,000)''.

Page 359, line 8, after the dollar amount insert ''(increased by $50,000,000)''.

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

Mrs. BIGGERT. Mr. Chairman, my amendment would cut funding for the Advanced Research Projects Agency—Energy, commonly known as ARPA-E, by $50 million, and it would put that funding towards deficit reduction.

For my colleagues who know me, they know it is not easy for me to cut funding for energy research. I have always maintained that there are two priorities I believe in and will continue to promote in Congress. Energy R&D is one of them. I believe the greatest investments we can make to secure our economic competitiveness are those investments that cultivate scientists and engineers of the future and provide the research infrastructure from which they can innovate and create jobs.

ARPA-E was first proposed in 2005 in the distinguished report entitled, ''Rising Above the Gathering Storm.'' Modeled on DARPA, ARPA-E was recommended along with dozens of recommendations designed to spur scientific investment. These recommendations were authorized as a part of the first America COMPETES Act of 2007 and reauthorized again last year.

Despite my strong support and leadership for COMPETES and its programs, I have had concerns about ARPA-E since inception. As a senior member of the Science, Space, and Technology Committee, our minority views on the President's fiscal year 2010 budget accurately reflect my sentiment:

''Those of us in opposition to ARPA-E maintain the view that creating a new agency to do work that is currently being done at the DOE is not a justified use of the limited funds available to the Department, and we support the Department's previous decision to not establish ARPA-E but to engage in ARPA-E-type projects within the current DOE structure.''

Most importantly, I have always believed that ARPA-E threatens to divert resources from the DOE's Office of Science, the largest supporter of basic research. That is why I secured language through COMPETES 2007 that would prohibit funding for ARPA-E unless the Office of Science is fully funded. I felt this was the most productive way to move forward with the ARPA-E concept and to prevent duplication or competition with other DOE programs. However, when we reauthorized COMPETES last year, this language was not included; and, unfortunately, my attempts to limit ARPA-E appropriations were unsuccessful.

In supporting my concerns about spreading resources too thin, now-Secretary Steven Chu said the following of ARPA-E in testimony before the Energy subcommittee in 2006: ''In funding ARPA-E, it is critical that its funding not jeopardize the basic research supported by the Department of Energy's Office of Science. The committee's recommendations are prioritized, and its top recommendation in the area of research is to increase the funding for basic research by 10 percent per year over the next 7 years.''

Mr. Chairman, were it not for the 2009 American Recovery and Reinvestment stimulus bill, ARPA-E would never have been funded. I urge my colleagues to join me in cutting ARPA-E funding and in rejecting duplication and stretched resources.

I yield back the balance of my time.

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

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

Mr. FRELINGHUYSEN. We are here to follow through on our pledge to right-size the government, and I appreciate my colleague's amendment for that reason. However, in addition to enacting historic reductions in spending in the CR, we are also committed to an unprecedented level of oversight to ensure that every dollar spent by the Federal Government is, indeed, well spent.

My colleague's amendment would virtually eliminate the Advanced Research Projects Agency—Energy, or ARPA-E, as we call it. This relatively new program is getting positive early results for its strong management, for its ability to execute, and for its focus on American competitiveness.

We certainly can and must debate which programs are the most worthy of taxpayers' dollars and which we should terminate, but the debate to end a potentially promising initiative to increase funds for another Federal program, as this amendment does, must be thoroughly considered in more than 5 or 10 minutes.

I and the committee would be happy to work with my colleague in the fiscal year 2012 process to ensure the proper and thorough oversight and evaluation of this program. However, I must regretfully oppose her amendment.

I yield back the balance of my time.

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

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

Mr. PASTOR of Arizona. I join the chairman in his opposition to this amendment.

Mr. Chairman, it is a promising program that already has provided not only research but the taking of the research, the finding of private capitalization, and the developing of products that can go forward.

One of the problems that we have found in the past for many years is that the Department of Energy has sometimes great problems in doing the basic research or in funding basic research. It has a difficult time getting out to find capitalization and then in being able to commercialize it.

ARPA-E is a process that is small but big in talent which is able to take innovative ideas and is able to research and take them to the next step with private capitalization. It is a program that takes public investment and increases the investment by the private sector. The outcome is the innovation of products, new employment, and new jobs. It is the way to transform the Department of Energy to make it more effective, and it would be a great loss to zero fund it at this time.

I yield back the balance of my time.

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

The Acting CHAIR. The gentlewoman from West Virginia is recognized for 5 minutes.

Mrs. CAPITO. Mr. Chairman, I rise in support of the gentlewoman's amendment, although I had an amendment that was to follow this amendment which sought to grab $47 million from the ARPA-E program to fund a jobs program to restore the clean coal research dollars that are stricken in this continuing resolution.

My amendment would have restored funding to the DOE's Fossil Energy Research and Development program to maintain our commitment to domestic coal and natural gas, which powers our Nation. It protects our environment and enhances our energy independence.

Certainly, in being from the State of West Virginia, this is a jobs issue for us. Our coal industry is under serious attack in this administration, both from the regulatory perspective and from other environmental areas. We realize that 50 percent of the Nation's energy is powered by coal. In order to use that most abundant resource that we have in our Nation, we need to find ways to burn it cleaner and mine it more efficiently.

For more than a quarter of a century, Fossil Energy Research has converted taxpayer investment into high-tech advances that in some ways touch every single American's life. Fossil Energy is finding and testing new ways to use coal more cleanly and efficiently by producing energy from coal gasification and by improving technologies to clean, capture, or store the emissions from coal-fired power plants. Over 1,000 American pioneers are doing research in this area, many of them located in our State of West Virginia at the National Energy Technology Laboratory in Morgantown, West Virginia.

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The Morgantown facility is the only national laboratory devoted to fossil energy research. So while I'm unable to offer my amendment to strike $47 million from the ARPA-E program and restore the $30.6 million into the clean coal research program, I did want to take this opportunity to emphasize the feeling that I have of how important it is for us to move forward in a bold and technologically superior way to find a way to use our most abundant resource.

The advanced research projects happening at Fossil Energy now will help keep clean, affordable energy from our traditional few resources as an integral part of our energy supply while we innovate and research our way to those new energy resources.

Mr. BROUN of Georgia. Mr. Chairman, I move to strike the last word.

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

Mr. BROUN of Georgia. Mr. Chairman, I rise in support of the gentlewoman from Illinois' amendment which would strike funding for ARPA-E within the Department of Energy.

There is little disagreement in Congress on the importance of fundamental advances in energy technologies to America's future economic and national security. It is a priority that we all share. The challenge lies in how best to structure the Federal Government's involvement in energy research and development to maximize use of limited resources.

Republican Members on the Committee on Science, Space and Technology have had serious reservations regarding the appropriateness of ARPA-E since it was first debated in the 110th Congress. A primary concern was that ARPA-E would focus on late-stage technology development activities that the private sector was already addressing, and we've seen that happen.

While language was incorporated into ARPA-E's authorizing statute directing the agency to only support ''technological advances in areas that industry by itself is not likely to undertake because of technical and financial uncertainty,'' there are numerous instances of ARPA-E awards that indicate the agency is not following these guidelines, instead providing funding to companies that are already actively pursuing development of the technology area for which they are requesting funding. This is a serious issue—taxpayer funding for R&D should only go toward areas that are too risky for private investment.

Due to these concerns, Mr. Chairman, I along with Chairman HALL, chairman of the Science, Space and Technology Committee, have requested that the Government Accountability Office undertake a study to review and report on the extent to which this problem is occurring with respect to other awards. At least until this study is completed and Congress has had an opportunity to consider its findings, ARPA-E should not receive additional taxpayer money, especially in this current environment of fiscal disaster that we're headed towards.

I urge support for the gentlelady's amendment.

The Acting CHAIR (Mr. CHAFFETZ). The question is on the amendment offered by the gentlewoman from Illinois (Mrs. BIGGERT).

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

Mrs. BIGGERT. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 395 OFFERED BY MR. INSLEE

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 213, line 19, after the dollar amount insert ''(increased by $20,000,000)''.

Page 217, line 13, after the dollar amount insert ''(reduced by $20,000,000)''.

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

Mr. INSLEE. Mr. Chairman, we have a simple amendment that will help restore two principles to our budget: one is innovation, and two is balance. What our amendment would do would be add $20 million to the ARPA–E account. It would be fully paid for with a balance taken out of the fossil fuel research account, and this is important for two fundamental reasons.

Our Nation's economic performance will live or it will die on the ability to innovate a new clean energy technology; and today, tonight, when we're speaking, the Chinese are investing $786 billion in the development of new clean energy technologies. Yet, what does this CR do to our advanced clean energy research budget? It cuts it by 85 percent. While the Chinese are racing ahead on clean energy, we're running backwards 85 percent in ARPA–E, which has tremendous potential in solar energy, in efficient, enhanced geothermal and new efficiencies in electric storage, in high-capacity grid systems. This is our seed corn of innovation, and yet we have slashed it 85 percent in this CR. We are simply asking to reduce that cut to about 65 percent and add $20 million.

Now, let me put this in context. That is the innovation part of this agenda; and for those who are critical of ARPA–E, let me suggest, in the first year of this operation, in the first year, it has attracted six private equity investments for $23 million of Uncle Sam's investment of $100 million that has been leveraged for private equity investment. This program has some promise, and we are cutting off tiny little crumbs to cut off the innovation budget for clean energy. It's a huge mistake.

Now, balance, here's where the balance part comes in. We want to pay for this, obviously. We don't want to create further deficit spending on this program. In the fossil fuel research budget, we've cut that 17 percent, and it's 10 times larger than the ARPA–E budget. That is wildly out of balance where we cut ARPA-E. Instead of 17 percent, we cut it 85 percent. Fossil fuels, we've got $556 million in research. For ARPA–E, we've got 50 million unless we adopt the Inslee amendment. So I would encourage us to get in the game of competing with China.

Now, I was talking to former Governor Ted Strickland tonight about a company called Willard & Kelsey, WK Solar Group, a company that's developed a new way of manufacturing solar cells using a horizontal manufacturing project, much more efficient, quicker manufacturing. If we don't start developing these technologies, the Chinese are going to have us for lunch, and this is a small thing that the payoffs could be dramatic. We'd encourage more innovation, and we'd encourage more balance for the future.

We recommend this amendment.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition.

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

Mr. FRELINGHUYSEN. Mr. Chairman, the gentleman's amendment adds, as we know, $50 million for ARPA–E while cutting funding for the fossil energy program. The Energy and Water portion of this bill strikes a careful balance between national security, American competitiveness, and the grave responsibility of deficit reduction. As written, this bill provides sufficient funding to keep ARPA–E operational and active in fiscal year 2011 while we thoroughly evaluate the program and its future in the fiscal year 2012 appropriations process.

ARPA–E has shown some promise in advancing our competitiveness; but in the light of the tough tradeoffs we've had to make in this bill—and indeed, they've been tough—I can't support further increased funding for ARPA–E before we've had a broader discussion of the new program.

Further, to achieve this bill's historic levels of spending reduction, the bill has struck a finely tuned balance of support across programs within the Department of Energy. The amendment would reduce funding for fossil energy research and development. The program cut by the amendment ensures not only that fossil energy which generates nearly 70 percent of the Nation's electricity is clean and efficient but that it uses technologies invented in America and creates jobs here at home. Yet, because reducing spending is our top priority, all programs must sacrifice, and the bill cuts fossil energy, research and development well below the 2010 mark and 21 percent below fiscal year 2008.

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Further reductions to fossil energy can be damaging to the program's important goals and may lead to excessive job losses. For this reason and because further increases to ARPA–E are currently unwarranted, I oppose the amendment.

Mr. INSLEE. Will the gentleman yield for a clarification?

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

Mr. INSLEE. I thank the gentleman.

The gentleman suggested that our amendment added $50 million. I know it was unintentional. We would only ask an additional $20 million. I just want to make that clear for the record.

Mr. FRELINGHUYSEN. The record is corrected, and you are absolutely right.

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

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

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

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

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

The Clerk will read.

The Clerk read as follows:

SEC. 1418. Notwithstanding section 1105, no appropriation, funds, or authority made available pursuant to section 1101 for the Department of Energy or Corps of Engineers, Civil, shall be used to initiate or resume any program, project, or activity or to initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 1419. No funds made available by this division or any other Act may be used by the Nuclear Regulatory Commission to conduct closure of adjudicatory functions, technical review, or support activities associated with the Yucca Mountain geologic repository license application until the Commission reverses ASLB decision LBP–10–11.

SEC. 1420. Notwithstanding section 1101, the level for ''Independent Agencies, Appalachian Regional Commission'' shall be $68,400,000.

SEC. 1421. Notwithstanding section 1101, the level for ''Independent Agencies, Delta Regional Authority'' shall be $11,700,000.

SEC. 1422. Notwithstanding section 1101, the level for ''Independent Agencies, Denali Commission'' shall be $10,800,000.

SEC. 1423. Notwithstanding section 1101, the level for ''Independent Agencies, Northern Border Regional Commission'' shall be $0.

SEC. 1424. Notwithstanding section 1101, the level for ''Independent Agencies, Southeast Crescent Regional Commission'' shall be $0.

SEC. 1425. The total principal amount for commitments to guarantee loans for eligible projects (other than nuclear power facilities and front-end nuclear facilities) under the heading ''Department of Energy, Title 17 Innovative Technology Loan Guarantee Authority Loan Program'', in title III of division C of Public Law 111–8, is hereby reduced by $25,000,000,000.

SEC. 1426. Of the unobligated balances of funds transferred to ''Department of the Interior, Bureau of Reclamation, Water and Related Resources'' for desert terminal lakes under section 2507 of the Farm Security and Rural Investment Act of 2002 (43 U.S.C. 2211 note), $115,000,000 is rescinded.

SEC. 1427. Of the unobligated balances available for ''Corps of Engineers—Civil, Department of the Army, Mississippi River and Tributaries'', $21,000,000 is rescinded, to be derived by cancelling unobligated balances for the Yazoo Basin, Backwater Pump, Mississippi project.

SEC. 1428. Notwithstanding section 1101, the level for ''Corps of Engineers—Civil, Department of the Army, Investigations'' shall be $104,000,000.

SEC. 1429. Notwithstanding section 1101, the level for ''Corps of Engineers—Civil, Department of the Army, Construction'' shall be $1,690,000,000.

SEC. 1430. Notwithstanding section 1101, the level for ''Corps of Engineers—Civil, Department of the Army, Mississippi River and Tributaries'' shall be $239,600,000.

SEC. 1431. Notwithstanding section 1101, the level for ''Corps of Engineers—Civil, Department of the Army, Operation and Maintenance'' shall be $2,361,000,000.

SEC. 1432. Notwithstanding section 1101, the level for ''Corps of Engineers—Civil, Department of the Army, Formerly Utilized Sites Remedial Action Program'' shall be $130,000,000.

SEC. 1433. Notwithstanding section 1101, the level for ''Department of the Interior, Bureau of Reclamation, Water and Related Resources'' shall be $913,500,000.

AMENDMENT NO. 297 OFFERED BY MR. MCCLINTOCK

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 216, line 19, after the dollar amount, insert ''(reduced by $1,897,000)''.

Page 359, line 13, after the dollar amount, insert ''(increased by $1,897,000)''.

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

Mr. McCLINTOCK. Mr. Chairman, this is a poster child for I guess what could best be described as ''Greens Gone Wild.'' As part of the so-called Klamath Hydroelectric Settlement Agreement, it is proposed to use taxpayer funds to tear down four perfectly good hydroelectric dams on the Klamath that are producing 155 megawatts of the cleanest, cheapest electricity on the planet—that's enough to power over 150,000 homes—because, we're told, of catastrophic declines in salmon.

When I suggested building a salmon hatchery instead, I was informed there already is one. It produces 5 million salmon smolt each year, 17,000 of which return to that river as fully grown adults to spawn, but they are deliberately ignored in the population counts. To add insult to insanity, as they tear down these dams in the name of saving the salmon, they are actually tearing down the fish hatchery that actually is saving the salmon.

This amendment targets the study that is underway to do so. A policy that is as manifestly insane as this should not require $2 million of additional funding.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, we are prepared to accept the gentleman from California's amendment.

Mr. PASTOR of Arizona. I move to strike the last word.

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

Mr. PASTOR of Arizona. I rise in support.

This amendment simply reduces the water and related resources account by $1.9 million. Given the limited nature of the amendment, I do not object to the amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

The Clerk will read.

The Clerk read as follows:

SEC. 1434. Notwithstanding section 1101, the level for ''Department of Energy, Energy Programs, Energy Efficiency and Renewable

Energy'' shall be $1,467,400,000: *Provided*, That none of the funds made available by this division may be used for the Weatherization Assistance Program authorized under part A of title IV of the Energy Conservation and Production Act (42 U.S.C. 6861 et seq.) or the State Energy Program authorized under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.).

AMENDMENT NO. 315 OFFERED BY MR. MCCLINTOCK

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 216, line 23, after the dollar amount, insert ''(reduced by $247,000,000)''.

Page 359, line 8, after the dollar amount, insert ''(increased by $247,000,000)''.

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

Mr. MCCLINTOCK. Mr. Chairman, this amendment saves $247 million by relieving taxpayers of having to subsidize solar energy research and development.

I am tempted to point out that solar power is not a new technology. Photovoltaic electricity generation was invented by Edmond Becquerel in 1836. That was 175 years ago. And in 175 years of continuing research and development and technological advancement, we have not yet been able to invent a more expensive way of generating electricity. Yet we're perfectly comfortable telling our constituents that we're taking another $250 million from their families to throw at this 175-year-old technology for no particular reason other than it makes us feel good.

I'm also tempted to point out that not only is this the most expensive way that we have ever invented to generate electricity, but it also adds nothing—I repeat, nothing—to our baseline power. Our electricity systems operate on an integrated grid, meaning that we have to constantly match the power going onto the grid with the power coming off the grid. And since there is no way to tell when a cloud passing over a solar array will immediately drop the output to zero, we have to construct an equal amount of reliable conventional power to back up that solar power. In other words, for every kilowatt of solar power we add to the grid, we also have to pay to add an additional kilowatt of backup power.

But the principal objection I have is this: This technology was truly on the verge of a breakthrough. After 175 years, investors would be tripping over themselves to get a piece of the action.

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If they are, there's no need to subsidize it. And if they're not, we have no right to force American taxpayers to make investments that no investor in his right mind would make.

I yield back the balance of my time.

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

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

Mr. FRELINGHUYSEN. Mr. Chairman, the continuing resolution before us enacts historic spending reductions but it does so by striking a careful balance between deficit reduction and other important goals.

I regret the gentleman's amendment goes far beyond the point of balance, and thus, I must oppose it.

Mr. Chairman, deficit reduction is the bill's top priority, and our bill already significantly reduces the Energy Efficiency and Renewable Energy Account. As written, our bill cuts that account to 35 percent below current levels and 38 percent, or nearly $900 million, below the fiscal year 2000 budget request.

Our bill cuts the excess and provides only enough funding to continue past commitments, leaving little room left to cut.

While I support the intent of the gentleman's amendment, as it aims to reduce further spending, we must do so responsibly and with a careful balance among deficit reduction, jobs, and our Nation's energy security. The gentleman's amendment fails to maintain this balance and would, to my mind, create undue job losses which would be considerable and irreversibly damage this particular program.

I yield back the balance of my time.

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

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

Mr. PASTOR of Arizona. I join the chairman. We need a mix of energy to gain energy independence. We cannot just rely on the mix of energy we have today, where 70 percent of our energy is generated through coal or natural gas.

Rather than sacrifice our future, we should be looking at methods of closing loopholes for the oil and gas industry.

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

The amendment was rejected.

AMENDMENT NO. 4 OFFERED BY TONKO

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 216, line 23, through page 217, line 4, strike '': *Provided*,'' and all that follows through ''et seq.)''.

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

Mr. TONKO. Mr. Chairman, I offer this amendment to section 1434 of the Republican spending bill. The section includes language that bans funds allocated to energy efficiency and renewable energy from being used for the weatherization assistance program or the State Energy Program. This rider has nothing to do with reducing funds; it is a policy rider. My amount would simply strike that language from this bill. This amendment does not add a single dollar to the deficit, the continuing resolution, or energy efficiency and renewable energy programs. It preserves the Republicans' cuts, though misguided, to energy efficiency and renewable energy. It merely states that weatherization and state energy programs remain eligible for funds.

There are many cuts in this bill that we cannot fix for procedural reasons. And there are many more that Republicans will oppose for political reasons, but this is something we can save. This amendment has strong bipartisan appeal. It is about lowering utility bills for people on the brink. It is about preserving construction, inspection, and renovation jobs. It is about States rights. It has been a harsh and unrelenting winter in many parts of America. We should not be leaving our friends and our neighbors out in the cold.

The State Energy Program is a 30-year old program that provides resources to states for energy efficiency and renewable energy, and it works. I know this because I used to run this program for New York State as the President and CEO of the New York State Energy Research and Development Authority. For every $1 in funding it yields $7.22 in annual energy savings. Each $1 in State Energy Program Federal funds is leveraged by $10.71 of state and private funds. States receiving this funding are eligible to do energy audits on over 15,000 buildings per year, including residential, commercial, and industrial properties. They are also able to renovate over 13,000 buildings per year to be more energy efficient. Think of it. Energy efficiency as our fuel of choice.

The other program my amendment addresses is the Weatherization Assistance Program. Some 38.6 million low-income, elderly, and disabled households are eligible for renovations to become more energy efficient and to lower their electric bills. Per household, this program creates a $437 savings or more in annual utility bills, or about 35 percent off of a typical utility bill. In 2010 alone, weatherized homes nationally would have saved some $2.1 billion. The weatherization program decreases national energy consumption by the equivalent of 24.1 million barrels of oil annually. For every $1 invested, weatherization returns $2.51 to the household and our society.

This is an appropriations bill. According to my colleagues across the aisle, it is a bill with the sole purpose of reducing the deficit, a noble goal. However, the State Energy Program and Weatherization Assistance Program rider does not reduce the deficit by 1 cent. It is not about funding. It is about restricting programs that work and playing politics as usual.

We should be focused on creating jobs, reducing our dependence on foreign oil, and innovating for our future.

My amendment restores our ability to do all three without adding a single cent to this bill. I ask for your support of this amendment.

I yield back the balance of my time.

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

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

Mr. FRELINGHUYSEN. Mr. Chairman, while the energy efficiency and renewable energy program supports research and development important to American competitiveness, the program has seen a 30 percent increase since the fiscal year 2008 and received $16.8 billion in stimulus funding in the Recovery Act. Now is therefore the right time to cut the fat and replace indiscriminate spending increases with smart prioritization and oversight.

Two programs within this account, Weatherization Assistance and the State Energy Program, do not focus on competitiveness and instead pass funding on to state and local governments. These two programs together have $4.7 billion in unspent Recovery Act funding and have encountered substantial management challenges in the last 2 years. And I may say, substantial.

The bill eliminates funding in fiscal year 2011 for weatherization and state energy programs whose unspent Recovery Act funding should sustain it through fiscal year 2011. In fact, at current implementation rates, which have been incredibly slow, unspent funding would last through 2012.

The amendment ignores these commonsense facts and the imperative to reduce spending by moving unneeded funding back into an already bloated program. I therefore, oppose the amendment and urge Members to do the same.

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

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

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

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

AMENDMENT NO. 259 OFFERED BY MR. LATTA

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 216, line 23, after the dollar amount insert ''(reduced by $70,000,000)''.

Page 359, line 8, after the dollar amount insert ''(increased by $70,000,000)''.

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

Mr. LATTA. Mr. Chairman, amendment 259 will cut $70 million from the Office of Energy Efficiency and Renewable Energy, which I intend to be removed from the FreedomCAR initiative. Currently, H.R. 1 funds the Office of Energy Efficiency and Renewable Energy at $1,467,400,000 for the remainder of fiscal year 2011.

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This amendment would reduce that amount to $1,397,400,000. This office already received $16.8 billion in stimulus funds, and $2.24 billion was appropriated in fiscal year 2010.

While citizens across the country are struggling to pay their bills, it would be very difficult to justify not being able to cut $70 million from this office. With Americans also struggling with higher gasoline prices and other fuel costs rising, Congress should focus on legislation that allows us to utilize resources we have available to drive prices down.

The free market is the best place for technological innovation. Reducing taxes and eliminating burdensome regulations will allow private companies to bring new, more fuel-efficient technologies to market when it becomes cost effective.

With a forecasted deficit of $1.6 trillion this year and the national debt scheduled to triple in 10 years, I have serious concerns with spending more funds on programs that have received massive increases from stimulus spending. The President released his budget proposal this week which reflects a pattern of record spending and even higher taxes, this continued spending of funds that the United States Government does not have as we continue to borrow from other nations.

During the last session of Congress alone, the President signed into law over $1.8 trillion in new government spending and over $670 billion in new job-damaging tax hikes. My $70 million cut will be a small reduction in an overbloated Federal budget.

I yield back the balance of my time.

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

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

Mr. FRELINGHUYSEN. Mr. Chairman, the Energy Efficiency and Renewable Energy program supports technology, research, and development to keep America competitive and ensure our access to domestic energy sources. While these are critically important goals, so too is meeting our pledge to substantially reduce the Nation's deficit beginning this year.

Our bill cuts energy efficiency and renewable energy 35 percent below the current level and 38 percent, or $888 million, below the President's fiscal year 2011 budget request.

The bill limits funding for programs that are still supported by unspent Recovery Act dollars. It also eliminates earmarks and slims down research programs by more than $500 million while preserving core activities supporting American competitiveness in emerging energy industries.

After these cuts, there is simply no more fat to trim. Cutting the program would cost excessive job losses and defaults on past commitments. While I support the gentleman's efforts to further reduce spending, this amendment would go too far beyond the careful balance that we have crafted in this bill.

I and the committee fully intend to exert unprecedented oversight of this program. So as we move forward, I would be happy to work with the gentleman as we do; however, I must regret that I oppose his amendment.

I yield back the balance of my time.

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

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

Mr. PASTOR of Arizona. I join the chairman in opposition to this amendment.

As I stated before, we need a mix of energy to gain energy independence. We cannot just rely on the mix of energy that we have today, where 70 percent of our energy is generated through coal or natural gas.

Rather than sacrifice our future, we should be looking at methods for closing loopholes in the oil and gas industry. I am in opposition to the amendment.

I yield back the balance of my time.

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

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

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

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

The Clerk will read.

The Clerk read as follows:

SEC. 1435. Notwithstanding section 1101, the level for ''Department of Energy, Energy Programs, Electricity Delivery and Energy Reliability'' shall be $139,000,000.

SEC. 1436. Notwithstanding section 1101, the level for ''Department of Energy, Energy Programs, Nuclear Energy'' shall be $661,100,000.

SEC. 1437. Notwithstanding section 1101, the level for ''Department of Energy, Energy Programs, Fossil Energy Research and Development'' shall be $586,600,000.

SEC. 1438. Notwithstanding section 1101, the level for ''Department of Energy, Energy Programs, Strategic Petroleum Reserve'' shall be $138,900,000.

SEC. 1439. Notwithstanding section 1101, the level for ''Department of Energy, Energy Programs, Energy Information Administration'' shall be $95,600,000.

SEC. 1440. Notwithstanding section 1101, the level for ''Department of Energy, Energy Programs, Non-Defense Environmental Cleanup'' shall be $225,200,000.

SEC. 1441. Notwithstanding section 1101, the level for ''Department of Energy, Energy Programs, Uranium Enrichment Decontamination and Decommissioning Fund'' shall be $513,900,000.

SEC. 1442. Notwithstanding section 1101, the level for ''Department of Energy, Energy

Programs, Science'' shall be $4,017,700,000: *Provided*, That of the amount provided by this division for ''Department of Energy, Energy Programs, Science'', not more than $302,000,000 shall be for biological and environmental research authorized under subtitle G of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16311 et seq.).

SEC. 1443. Notwithstanding section 1101, the level for ''Department of Energy, Energy Programs, Departmental Administration'' shall be $148,900,000.

SEC. 1444. Notwithstanding section 1101, the level for ''Department of Energy, Energy Programs, Advanced Technology Vehicles Manufacturing Loan Program'' shall be $9,998,000.

SEC. 1445. Notwithstanding section 1101, the level for ''Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Weapons Activities'' shall be $6,696,400,000.

SEC. 1446. Notwithstanding section 1101, the level for ''Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Defense Nuclear Nonproliferation'' shall be $2,085,200,000.

SEC. 1447. Notwithstanding section 1101, the level for ''Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Naval Reactors'' shall be $967,100,000.

SEC. 1448. Notwithstanding section 1101, the level for ''Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Office of the Administrator'' shall be $407,800,000.

SEC. 1449. Notwithstanding section 1101, the level for ''Department of Energy, Environmental and Other Defense Activities, Defense Environmental Cleanup'' shall be $5,016,041,000, of which $33,700,000 shall be transferred to the ''Uranium Enrichment Decontamination and Decommissioning Fund''.

SEC. 1450. Notwithstanding section 1101, the level for ''Department of Energy, Environmental and Other Defense Activities, Other Defense Activities'' shall be $773,400,000.

SEC. 1451. Of the unobligated balances from prior year appropriations available for ''Corps of Engineers—Civil, Department of the Army, Construction'', $100,000,000 is rescinded.

SEC. 1452. Of the unobligated balances from prior year appropriations available for ''Department of Energy, Energy Programs, Energy Efficiency and Renewable Energy'', $11,200,000 is rescinded.

SEC. 1453. Of the unobligated balances from prior year appropriations available for ''Department of Energy, Energy Programs, Electricity Delivery and Energy Reliability'', $2,400,000 is rescinded.

SEC. 1454. Of the unobligated balances from prior year appropriations available for ''Department of Energy, Energy Programs, Nuclear Energy'', $6,300,000 is rescinded.

SEC. 1455. Of the unobligated balances from prior year appropriations available for ''Department of Energy, Energy Programs, Fossil Energy Research and Development'', $30,600,000 is rescinded.

SEC. 1456. Of the unobligated balances from prior year appropriations available for ''Department of Energy, Energy Programs, Naval Petroleum and Oil Shale Reserves'', $2,100,000 is rescinded.

SEC. 1457. Of the unobligated balances from prior year appropriations available for ''Department of Energy, Energy Programs, Clean Coal Technology'', $18,000,000 is rescinded.

SEC. 1458. Of the unobligated balances from prior year appropriations available for ''Department of Energy, Energy Programs, Strategic Petroleum Reserve'', $15,300,000 is rescinded.

SEC. 1459. Of the unobligated balances from prior year appropriations available for ''Department of Energy, Energy Programs, Energy Information Administration'', $400,000 is rescinded.

SEC. 1460. Of the unobligated balances from prior year appropriations available for ''Department of Energy, Energy Programs, Non-Defense Environmental Cleanup'', $900,000 is rescinded.

SEC. 1461. Of the unobligated balances from prior year appropriations available for ''Department of Energy, Energy Programs, Uranium Enrichment Decontamination and Decommissioning Fund'', $10,000,000 is rescinded.

SEC. 1462. Of the unobligated balances from prior year appropriations available for ''Department of Energy, Energy Programs, Science'', $7,200,000 is rescinded.

SEC. 1463. Of the unobligated balances from prior year appropriations available for ''Department of Energy, Energy Programs, Nuclear Waste Disposal'', $2,800,000 is rescinded.

SEC. 1464. Of the unobligated balances from prior year appropriations available for ''Department of Energy, Energy Programs, Departmental Administration'', $11,900,000 is rescinded.

SEC. 1465. Of the unobligated balances from prior year appropriations available for ''Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Defense Nuclear Nonproliferation'', $45,500,000 is rescinded.

SEC. 1466. Of the unobligated balances from prior year appropriations available for ''Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Naval Reactors'', $1,200,000 is rescinded.

SEC. 1467. Of the unobligated balances from prior year appropriations available for ''Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Office of the Administrator'', $4,400,000 is rescinded.

SEC. 1468. Of the unobligated balances from prior year appropriations available for ''Department of Energy, Environmental and Other Defense Activities, Defense Environmental Cleanup'', $11,900,000 is rescinded.

SEC. 1469. Of the unobligated balances from prior year appropriations available for ''Department of Energy, Environmental and Other Defense Activities, Other Defense Activities'', $3,400,000 is rescinded.

SEC. 1470. Of the unobligated balances from prior year appropriations available for ''Independent Agencies, Delta Regional Authority'', $6,000,000 is rescinded.

SEC. 1471. Of the unobligated balances from prior year appropriations available for ''Independent Agencies, Denali Commission'', $15,000,000 is rescinded.

SEC. 1472. Within 30 days of enactment of this division, the Department of Energy; Corps of Engineers, Civil; Nuclear Regulatory Commission; and Bureau of Reclamation shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spending, expenditure, or operating plan for fiscal year 2011 at a level of detail below the account level.

SEC. 1473. No rescission made in this title shall apply to any amount previously designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 1474. None of the funds made available by this division or prior appropriation Acts (other than Public Law 111–5) for Energy and Water Development may be used to pay the costs of employment (such as pay and benefits), or termination (such as severance pay), of any employee of the Department of Energy who is appointed, employed, or retained under the authority of, or using funds provided by, Public Law 111–5, or whose functions or operations (including programmatic or oversight responsibilities) are substantially or entirely funded under Public Law 111–5.

SEC. 1475. (a) None of the funds made available by this Act may be used to implement—

(1) Reasonable and Prudent Action Component 1, Reasonable and Prudent Action Component 2, or Reasonable and Prudent Action Component 3 described in the biological opinion for the operations of the Central Valley Project and the California State Water Project issued by the United States Fish and Wildlife Service and dated December 15, 2008; or

(2) Reasonable and Prudent Action IV.2.1 or Reasonable and Prudent Action IV.2.3 described in the biological opinion for the operations of the Central Valley Project and the California State Water Project issued by the National Marine Fisheries Service and dated June 4, 2009.

(b) None of the funds made available by this Act may be used to implement section 10004, 10005, 10006, 10009, or 10011 of Public Law 111–11.

Mr. FRELINGHUYSEN (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 224, line 21 be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

TITLE V—FINANCIAL SERVICES AND GENERAL GOVERNMENT

SEC. 1501. Notwithstanding section 1101, the level for ''Department of the Treasury, Departmental Offices, Salaries and Expenses'' shall be $299,888,000, of which $102,613,000 shall be for terrorism and financial intelligence activities, and the requirements to transfer funds to the National Academy of Science and the funding designations related to executive direction program activities, economic policies and program activities, financial policies and program activities, Treasury-wide management policies and program activities, and administration program activities shall not apply to funds appropriated by this division.

SEC. 1502. Notwithstanding section 1101, the level for ''Department of the Treasury, Departmental Offices, Department-wide Systems and Capital Investment Programs'' shall be $4,000,000.

SEC. 1503. Notwithstanding section 1101, the level for ''Department of Treasury, Office of Inspector General, Salaries and Expenses'' shall be $29,403,000.

SEC. 1504. Notwithstanding section 1101, the level for ''Department of the Treasury, Departmental Offices, Special Inspector General for the Troubled Asset Relief Program, Salaries and Expenses'' shall be $36,300,000.

SEC. 1505. Notwithstanding section 1101, the level for ''Department of Treasury, Financial Crimes Enforcement Network, Salaries and Expenses'' shall be $108,927,000.

SEC. 1506. Notwithstanding section 1101, the level for ''Department of the Treasury, Financial Management Service, Salaries and Expenses'' shall be $232,838,000.

SEC. 1507. Notwithstanding section 1101, the level for ''Department of the Treasury, Bureau of the Public Debt, Administering the Public Debt'' shall be $184,658,000.

SEC. 1508. Of the unobligated balances available under the heading ''Department of

the Treasury, Treasury Forfeiture Fund'', $400,000,000 is rescinded.

SEC. 1509. Notwithstanding section 1101, the level for ''Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau, Salaries and Expenses'' shall be $99,831,000, and the first proviso under such heading shall not apply to funds appropriated by this division.

SEC. 1510. Notwithstanding section 1101, the level for ''Department of the Treasury, Community Development Financial Institutions Fund Program Account'' shall be $50,000,000 for financial assistance, technical assistance, training outreach programs, and administrative expenses, of which not less than $2,500,000 shall be for programs under sections 105 through 109 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4704–4708) designed to benefit Native communities; and the requirement to transfer funds to the Capital Magnet Fund and the funding designations for pilot project grants and administration shall not apply to funds appropriated by this division.

SEC. 1511. Notwithstanding section 1101, the level for ''Department of the Treasury, Internal Revenue Service, Taxpayer Services'' shall be $2,187,836,000.

SEC. 1512. Notwithstanding section 1101, the level for ''Department of the Treasury, Internal Revenue Service, Enforcement'' shall be $5,219,016,000.

SEC. 1513. Notwithstanding section 1101, the level for ''Department of the Treasury, Internal Revenue Service, Operations Support'' shall be $3,856,894,000, and the funding designations for tax enforcement under such heading shall not apply to funds appropriated by this division.

SEC. 1514. Notwithstanding section 1101, and section 101 of division C of Public Law 111–117, the Secretary of the Treasury is authorized to transfer up to $83,211,000 of the funds appropriated to the Internal Revenue Service for ''Enforcement'' and ''Operations Support'' to ''Business Systems Modernization'' upon notification and approval of the House and Senate Committees on Appropriations.

SEC. 1515. Notwithstanding section 1101, section 105 of division C of Public Law 111–117 shall not apply to funds appropriated by this division.

SEC. 1516. None of the funds made available by this division may be used by the Internal Revenue Service to implement or enforce any amendment made to section 6041 of the Internal Revenue Code of 1986 by section 9006 of the Patient Protection and Affordable Care Act (Public Law 111–148).

SEC. 1517. (a) During fiscal year 2011, the Board of Governors of the Federal Reserve may not transfer more than $80,000,000 to the Bureau of Consumer Financial Protection for activities authorized to be carried out by the Bureau under title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

(b) During fiscal year 2011, the Bureau of Consumer Financial Protection may not obligate more than $80,000,000 for such activities.

SEC. 1518. Notwithstanding section 1101, the level for ''Executive Office of the President and Funds Appropriated to the President, The White House, Salaries and Expenses'' shall be $56,186,000.

SEC. 1519. Notwithstanding section 1101, the level for ''Executive Office of the President and Funds Appropriated to the President, Executive Residence at the White House, Operating Expenses'' shall be $13,146,000.

SEC. 1520. Notwithstanding section 1101, the level for ''Executive Office of the President and Funds Appropriated to the President, White House Repair and Restoration'' shall be $2,005,000.

SEC. 1521. Of the unobligated balances available for ''Executive Office of the President and Funds Appropriated to the President, Office of National Drug Control Policy, Counterdrug Technology Assessment Center'', $5,000,000 is rescinded.

SEC. 1522. Notwithstanding section 1101, the level for ''Executive Office of the President and Funds Appropriated to the President, Council of Economic Advisors, Salaries and Expenses'' shall be $3,990,000.

SEC. 1523. Notwithstanding section 1101, the level for ''Executive Office of the President and Funds Appropriated to the President, National Security Council, Salaries and Expenses'' shall be $11,619,000.

SEC. 1524. Notwithstanding section 1101, the level for ''Executive Office of the President and Funds Appropriated to the President, Office of Administration, Salaries and Expenses'' shall be $109,516,000.

SEC. 1525. Notwithstanding section 1101, the level for ''Executive Office of the President and Funds Appropriated to the President, Office of Management and Budget, Salaries and Expenses'' shall be $88,220,000.

SEC. 1526. Notwithstanding section 1101, the level for ''Executive Office of the President and Funds Appropriated to the President, Office of National Drug Control Policy, Salaries and Expenses'' shall be $24,886,000.

SEC. 1527. Of the unobligated balances available for ''Executive Office of the President and Funds Appropriated to the President, Office of National Drug Control Policy, Salaries and Expenses'' for policy research and evaluation, $2,000,000 is rescinded.

SEC. 1528. Notwithstanding section 1101, the level for ''Executive Office of the President and Funds Appropriated to the President, Office of National Drug Control Policy, Counterdrug Technology Assessment Center'' shall be $0.

SEC. 1529. Notwithstanding section 1101, the level for ''Executive Office of the President and Funds Appropriated to President, Unanticipated Needs'' shall be $0.

SEC. 1530. Notwithstanding section 1101, the level for ''Executive Office of the President and Funds Appropriated to the President, Partnership Fund for Program Integrity Innovation'' shall be $0.

SEC. 1531. Notwithstanding section 1101, the level for ''Executive Office of the President and Funds Appropriated to the President, Special Assistance to the President, Salaries and Expenses'' shall be $4,374,000.

SEC. 1532. Notwithstanding section 1101, the level for ''Executive Office of the President and Funds Appropriated to the President, Official Residence of the Vice President, Operating Expenses'' shall be $314,000.

SEC. 1533. Of the unobligated balances available for ''Executive Office of the President and Funds Appropriated to the President, Partnership Fund for Program Integrity Innovation'', $10,000,000 is rescinded.

SEC. 1534. Notwithstanding section 1101, the level for ''Executive Office of the President and Funds Appropriated to the President, Office of National Drug Control Policy, Other Federal Drug Control Programs'' shall be $96,425,000, of which $85,500,000 shall be for the Drug-Free Communities Program; $9,025,000 shall be for anti-doping activities; and the matter related to a national media campaign, the National Drug Court Institute, the United States Anti-Doping Agency, Model State Drug Laws and performance measures shall not apply to the funds appropriated by this division.

SEC. 1535. Notwithstanding section 1101, none of the funds appropriated by this division under heading ''Executive Office of the President and Funds Appropriated to the President'' shall be for an Assistant to the President for Energy and Climate Change, or any substantially similar position.

SEC. 1536. Notwithstanding section 1101, none of the funds appropriated by this division under the heading ''Executive Office of the President and Funds Appropriated to the President'' shall be for the Director of the Office of Health Care Reform, or any substantially similar position.

SEC. 1537. Notwithstanding section 1101, the level for ''The Judiciary, Supreme Court of the United States, Care of the Building and Grounds'' shall be $8,175,000.

SEC. 1538. Notwithstanding section 1101, the level for ''The Judiciary, Courts of Appeals, District Courts, and Other Judicial Services, Salaries and Expenses'' shall be $4,860,585,000.

SEC. 1539. Notwithstanding section 1101, the level for ''The Judiciary, Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners'' shall be $52,410,000.

SEC. 1540. Notwithstanding section 1101, the level for ''The Judiciary, Administrative Office of the United States Courts, Salaries and Expenses'' shall be $82,575,000.

SEC. 1541. Notwithstanding section 1101, the level for ''The Judiciary, Federal Judicial Center, Salaries and Expenses'' shall be $27,078,000.

SEC. 1542. Notwithstanding section 1101, the level for ''The Judiciary, United States Sentencing Commission, Salaries and Expenses'' shall be $16,737,000.

SEC. 1543. Notwithstanding section 1101, the level for ''The Judiciary, Courts of Appeals, District Courts, and Other Judicial Services, Court Security'' shall be $467,607,000.

SEC. 1544. The amount included in the second paragraph under the heading ''The Judiciary, Courts of Appeals, District Courts, and Other Judicial Services, Salaries and Expenses'' in division C of Public Law 111–117 shall be applied to funds appropriated by this division by substituting ''$4,785,000'' for ''$5,428,000''.

SEC. 1545. Of the unobligated balances available for ''The Judiciary, United States Sentencing Commission, Salaries and Expenses'', $100,000 is rescinded.

SEC. 1546. Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note) is amended in the third sentence (relating to the District of Kansas) by striking ''19 years'' and inserting ''20 years''.

SEC. 1547. Notwithstanding section 1101, the level for ''District of Columbia, Federal Funds, Federal Payment to the District of Columbia Courts'' shall be $235,660,000, of which $50,000,000 shall be for capital improvements.

SEC. 1548. (a) Notwithstanding section 1101, the level for ''District of Columbia, Federal Funds, Federal Payment for School Improvement'' shall be $60,000,000, of which $24,500,000 shall be for the District of Columbia Public Schools, $20,000,000 shall be to expand quality public charter schools, and $15,500,000 shall be for opportunity scholarships, and the second reference to ''$1,000,000'' under such heading shall be applied to funds appropriated by this division by substituting ''$0''.

(b) The authority and conditions provided in the District of Columbia Appropriations Act, 2010 (Public Law 111–117; 123 Stat. 3181) under the heading described in subsection (a) shall apply with respect to the funds made available under this division, with the following modifications:

(1) The first proviso under such heading shall not apply.

(2) Notwithstanding the second proviso under such heading, the funds may be made available for scholarships to students, without regard to whether any student received a scholarship in any prior school year.

(3) The fourth proviso under such heading shall not apply.

(4) Notwithstanding the fifth proviso under such heading, the Secretary of Education shall ensure that site inspections of participating schools are conducted annually.

SEC. 1549. Notwithstanding section 1101, the level for ''District of Columbia, Federal Funds, Federal Payment to the District of Columbia Water and Sewer Authority'' shall be $10,000,000.

SEC. 1550. Notwithstanding section 1101, the level for ''District of Columbia, Federal Funds, Federal Payment to the Criminal Justice Coordinating Council'' shall be $1,800,000.

SEC. 1551. Notwithstanding section 1101, the level for ''District of Columbia, Federal Funds, Federal Payment to the Office of the Chief Financial Officer for the District of Columbia'' shall be $0.

SEC. 1552. Notwithstanding section 1101, the level for ''District of Columbia, Federal Funds, Federal Payment for Consolidated Laboratory Facility'' shall be $0.

SEC. 1553. Notwithstanding section 1101, the level for ''District of Columbia, Federal Funds, Federal Payment for Housing for the Homeless'' shall be $10,000,000.

SEC. 1554. Notwithstanding section 1101, the level for ''District of Columbia, Federal Funds, Federal Payment for Youth Services'' shall be $0.

SEC. 1555. Notwithstanding any other provision of this division, except section 1106, the District of Columbia may expend local funds for programs and activities under the heading ''District of Columbia Funds'' for such programs and activities under title IV of S. 3677 (111th Congress), as reported by the Committee on Appropriations of the Senate, at the rate set forth under ''District of Columbia Funds'' as included in the Fiscal Year 2011 Budget Request Act (D.C. Act 18–448), as modified as of the date of the enactment of this division.

SEC. 1556. Notwithstanding section 1101, the level for ''Independent Agencies, Christopher Columbus Fellowship Foundation, Salaries and Expenses'' shall be $500,000.

SEC. 1557. Notwithstanding section 1101, the level for ''Independent Agencies, Election Assistance Commission, Election Reform Programs'' shall be $0.

SEC. 1558. Notwithstanding section 1101, the level for ''Independent Agencies, General Service Administration, General Activities, Government-Wide Policy'' shall be $59,068,000.

SEC. 1559. Notwithstanding section 1101, the level for ''Independent Agencies, Federal Deposit Insurance Corporation, Office of the Inspector General'' shall be $42,942,000.

SEC. 1560. Notwithstanding section 1101, the level for ''Independent Agencies, Federal Labor Relations Authority, Salaries and Expenses'' shall be $24,500,000.

SEC. 1561. Notwithstanding section 1101, the level for ''Independent Agencies, General Services Administration, Electronic Government Fund'' shall be $2,000,000.

SEC. 1562. Notwithstanding section 1101, the level for ''Independent Agencies, General Services Administration, Federal Citizen Services Fund'' shall be $34,689,000.

SEC. 1563. Notwithstanding section 1101, the level for ''Independent Agencies, Federal Election Commission, Salaries and Expenses'' shall be $65,835,000.

SEC. 1564. Notwithstanding section 1101, the level for ''Independent Agencies, Federal Trade Commission, Salaries and Expenses'' shall be $288,783,000.

SEC. 1565. Notwithstanding section 1101, the level for ''Independent Agencies, Morris K. Udall and Stewart Udall Foundation, Morris K. Udall and Stewart Udall Trust Fund'' shall be $1,000,000.

SEC. 1566. Notwithstanding section 1101, the level for ''Independent Agencies, National Credit Union Administration, Community Development Revolving Loan Fund'' shall be $500,000.

SEC. 1567. Notwithstanding section 1101, the level for ''Independent Agencies, Privacy and Civil Liberties Oversight Board, Salaries and Expenses'' shall be $100,000.

SEC. 1568. Notwithstanding section 1101, the level for ''Independent Agencies, Consumer Product Safety Commission, Salaries and Expenses'' shall be $115,018,000, of which $500,000 shall be for the Virginia Graeme Baker Pool and Spa Safety Act grant program.

SEC. 1569. Of the unobligated balances available under the heading ''Independent Agencies, Consumer Product Safety Commission, Salaries and Expenses'' for the Virginia Graeme Baker Pool and Spa Safety Act grant program, $2,000,000 is rescinded.

SEC. 1570. Notwithstanding section 1101, the level for ''Independent Agencies, Election Assistance Commission, Salaries and Expenses'' shall be $15,020,000, of which $2,345,000 shall be transferred to the National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002 (Public Law 107–252), the level under such heading for the Help America Vote College Program shall be $0, and the level under such heading for a competitive grant program to support community involvement in student and parent mock elections shall be $0.

SEC. 1571. Of the unobligated balances available for ''Independent Agencies, Election Assistance Commission, Election Reform Programs'', $5,000,000 is rescinded.

SEC. 1572. Notwithstanding section 1101, the aggregate amount of new obligational authority provided under the heading ''Independent Agencies, General Services Administration, Real Property Activities, Federal Buildings Fund, Limitations on Availability of Revenue'' for Federal buildings and courthouses and other purposes of the Fund shall be $7,428,007,000, of which (1) $0 is for ''Construction and Acquisition''; and (2) $280,000,000 is for ''Repairs and Alterations'', of which $260,000,000 is for basic repairs and alterations and $20,000,000 is for fire and life safety programs.

SEC. 1573. Notwithstanding section 1101, the level for ''Independent Agencies, General Services Administration, General Activities, Operating Expenses'' shall be $71,381,000 and matters pertaining to the amount of $1,000,000 shall not apply to funds appropriated by this division.

SEC. 1574. Notwithstanding section 1101, the level for ''Independent Agencies, National Archives and Records Administration, Operating Expenses'' shall be $336,372,000.

SEC. 1575. Notwithstanding section 1101, the level for ''Independent Agencies, National Archives and Records Administration, Electronic Records Archives'' shall be $72,000,000, of which $52,500,000 shall remain available until September 30, 2013.

SEC. 1576. Notwithstanding section 1101, the level for ''Independent Agencies, National Archives and Records Administration, Repairs and Restoration'' shall be $11,730,000.

SEC. 1577. Notwithstanding section 1101, the level for ''Independent Agencies, National Archives and Records Administration, National Historical Publications and Records Commission, Grants Program'' shall be $4,000,000.

SEC. 1578. Of the unobligated balances available under the heading ''Independent Agencies, National Archives and Records Administration, Repairs and Restoration'' $3,198,000 is rescinded, which shall be derived from amounts made available for a new regional archives and records facility in Anchorage, Alaska.

SEC. 1579. The amounts included under the heading ''Independent Agencies, Merit Systems Protection Board, Salaries and Expenses'' in division C of Public Law 111–117 shall be applied to funds appropriated by this division by substituting ''$39,000,000'' for ''$40,339,000''.

SEC. 1580. The amounts included under the heading ''Independent Agencies, Office of Personnel Management, Salaries and Expenses'' in division C of Public Law 111–117 shall be applied to funds appropriated by this division as follows:

(1) By substituting ''$101,270,000'' for ''$102,970,000''.

(2) By substituting ''$111,038,000'' for ''$112,738,000''.

SEC. 1581. The amounts included under the heading ''Independent Agencies, Office of Personnel Management, Office of Inspector General'' in division C of Public Law 111–117 shall be applied to funds appropriated by this division as follows:

(1) By substituting ''$2,136,000'' for ''$3,148,000''.

(2) By substituting ''20,428,000'' for ''21,215,000''.

SEC. 1582. Notwithstanding section 1101, the level for ''Independent Agencies, Office of Special Counsel, Salaries and Expenses'' shall be $18,300,000.

SEC. 1583. Of the unobligated balances available for ''Independent Agencies, Privacy and Civil Liberties Oversight Board, Salaries and Expenses'', $1,500,000 is rescinded.

SEC. 1584. Notwithstanding section 1101, the level provided under section 523 of division C of Public Law 111–117 shall be $0.

SEC. 1585. Notwithstanding section 1101, the level for ''Independent Agencies, Small Business Administration, Salaries and Expenses'' shall be $408,438,000.

SEC. 1586. The amounts included under the heading ''Independent Agencies, United States Postal Service, Payment to the Postal Service Fund'' in division C of Public Law 111–117 shall be applied to funds appropriated by this division as follows:

(1) By substituting ''$103,905,000'' for ''$118,328,000''.

(2) By substituting ''$74,905,000'' for ''$89,328,000''.

(3) By substituting ''2011'' for ''2010''.

SEC. 1587. Notwithstanding section 1101, the level for ''Independent Agencies, Securities and Exchange Commission, Salaries and Expenses'' shall be $1,069,916,000 and the proviso pertaining to prior year unobligated balances shall not apply to funds appropriated by this division.

Mrs. EMERSON (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 243, line 4 be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 1588. Notwithstanding section 1101, the level for ''Independent Agencies, Selective Service System, Salaries and Expenses'' shall be $24,032,000.

□ 0040

AMENDMENT NO. 98 OFFERED BY MR. DEFAZIO

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 243, line 7, after the dollar amount, insert ''(reduced by $24,032,000)''.

Page 359, line 10, after the dollar amount, insert ''(increased by $24,032,000)''.

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

Mr. DEFAZIO. I had hoped to be joined by Dr. PAUL, who is a coauthor of this amendment. Unfortunately given the very late hour, I'm not certain he'll make it. However, we're talking tonight about making cuts. We've heard in the earlier debate of programs that actually have constituencies, actually serve Americans: The COPS program which puts officers on the beat and helps with drug interdiction, drug prevention; the LIHEAP program providing financial assistance to families who can't afford to heat their homes. The list is long. But there are a few programs in the government which have no constituency and no purpose, and this is one of them. And somehow it escaped the knife, which I assume was just an oversight. So I'm hoping to persuade the committee to adopt this amendment. This is the expenditures for the Selective Service System of the United States of America, i.e., the draft boards. That is, if we believe that at some time in the future that the United States of America is going to reimpose the draft, then one might want to maintain this bureaucracy in deep standby. On the other hand, it might not, because the few times that this agency has attempted to test its capabilities with its obsolete computer systems, which could be surpassed by anything available publicly on the Internet, they showed that they couldn't have conducted a legal draft. And even if they could have conducted a legal draft, we no longer have a surge capacity at our training bases so we would be drafting people for no purpose. Beyond that, I don't think there are many in this House who believe that we are going to go back to having a draft. The Pentagon doesn't want to go back to a draft. The Pentagon has said time and time and time again they believe in an all-volunteer military; the all-volunteer military is superior to forced enlistment, as in the years of the draft. We're a higher quality, we're using significant incentives to get people to enlist in the military, and we have the best military in the world as a result.

So why would we maintain this bureaucracy? Here's what they spent $25 million on, or intend to, this year. It will be used for expenses of attendance at meetings. For purchase of uniforms. Now beyond me, I'm not certain what the uniforms are. I served actually on a draft board once and we didn't have uniforms. I don't know. I guess now we've got uniforms for people who are going to go sit somewhere and hear claims, if we ever reimpose the draft. I really don't know who they're purchasing uniforms for or what the purpose might be or what a Selective Service member's uniform might look like. They also will hire passenger motor vehicles and for official reception and representation expenses—all for a dead bureaucracy that does nothing and never will do anything.

Now, colleagues, truly if we are serious here, if we are in a crisis and we're going to cut programs that actually have large constituencies; my phone's been ringing off the hook about public broadcasting. Other people are hearing about other programs. Here's one where you're not going to get a single call except maybe a thank-you if you eliminate this useless bureaucracy that will never be activated for any purpose, foreseeable, in the future.

Colleagues, we have twice actually in the House voted to end the Selective Service System: in 1993 when Democrats were in control and in 1999 when the Republicans were in control. Unfortunately, the termination of the program never became law. Now is the time. Now is the time. I'm just dedicating the money to deficit reduction. It could be used to restore some meritorious spending elsewhere within this title by somebody else.

With that, I would yield back the balance of my time and urge my colleagues to end this useless bureaucracy.

Mrs. EMERSON. Mr. Chairman, I rise in opposition to this amendment.

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

Mrs. EMERSON. Thank you, Mr. Chairman.

While most would hope that we would never need to use the draft again, I think this agency is an important insurance policy against unforeseen threats. If we eliminate the Selective Service System, it would take us over a year to draft men into military service, whereas now it would take 90 to 120 days. And in any kind of an emergency, wartime situation, this could be disastrous. Further, we're almost 6 months into the budget year and the Selective Service has already spent money on salaries and expenses, so we really can't take all of their money away. This is a small agency with the potential to avert a crisis, should the draft ever be reinstated.

I urge a ''no'' vote on this amendment.

I yield back the balance of my time.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words, in opposition to this amendment.

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

Mr. DICKS. The Selective Service is a readiness issue. If we don't have the process all set up, it would take 2 years to restore it. And if we're in a national emergency—that's why we put the Selective Service thing in place—because if we were in a national emergency and we had to get more people and we couldn't do it through the all-volunteer force, we have to have a way to do it.

And so we put this in place several years ago. It was very bipartisan at the time. I can understand the gentleman's skepticism, but this is the first we've heard of this. I think it would be better for the committee to look at this and maybe have a hearing on this and then we can address it again in the 2012 bill.

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

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

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

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

The Clerk will read.

The Clerk read as follows:

SEC. 1589. Notwithstanding section 1101, the level for ''Independent Agencies, United States Tax Court, Salaries and Expenses'' shall be $52,093,000, of which $2,852,000 shall be for security improvements.

SEC. 1590. Section 814 of division C of Public Law 111–117 shall be applied to funds appropriated by this division by striking ''Federal''.

SEC. 1591. (a) Notwithstanding section 1101, and section 810 of division C of Public Law 111–117, none of the funds contained in this division may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(b) Any individual or entity who receives any funds contained in this division and who carries out any program described in subsection (a) shall account for all funds used for such program separately from any funds contained in this division.

TITLE VI—HOMELAND SECURITY

SEC. 1601. Within 30 days after the date of enactment of this division, the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives an expenditure plan for fiscal year 2011 that displays the level of funding by program, project, and activity consistent with the table of detailed funding recommendations contained at the end of the joint explanatory statement accompanying the Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83).

SEC. 1602. Notwithstanding section 1101, the level for ''Department of Homeland Security, Office of the Secretary and Executive Management'' shall be $136,818,000.

SEC. 1603. Notwithstanding section 1101, the level for ''Department of Homeland Security, Office of the Under Secretary for Management'' shall be $239,933,000.

SEC. 1604. Notwithstanding section 1101, the level for ''Department of Homeland Security, Office of the Chief Information Officer'' shall be $333,393,000, of which not less than $77,788,000 shall be available for data center development and migration.

SEC. 1605. Notwithstanding section 1101, the level for ''Department of Homeland Security, Office of the Federal Coordinator for Gulf Coast Rebuilding'' shall be $0.

SEC. 1606. Notwithstanding section 1101, the level for ''Department of Homeland Security, U.S. Customs and Border Protection, Salaries and Expenses'' shall be $8,212,626,000: *Provided*, That for fiscal year 2011, the Border Patrol shall maintain an active duty presence of not fewer than 20,500 full-time equivalent agents throughout the fiscal year.

SEC. 1607. Notwithstanding section 1101, the level for ''Department of Homeland Security, U.S. Customs and Border Protection,

Automation Modernization'' shall be $341,575,000, of which $153,090,000 shall be for the Automated Commercial Environment.

SEC. 1608. (a) Notwithstanding section 1101, the level for ''Department of Homeland Security, U.S. Customs and Border Protection, Border Security Fencing, Infrastructure, and Technology'' shall be $450,000,000.

(b) Paragraph (11) of the first proviso and the third and fourth provisos under the heading ''Border Security Fencing, Infrastructure, and Technology'' of Public Law 111–83 shall not apply to funds appropriated by this division.

SEC. 1609. Notwithstanding section 1101, the level for ''Department of Homeland Security, U.S. Customs and Border Protection, Air and Marine Interdiction, Operations, Maintenance, and Procurement'' shall be $516,326,000.

SEC. 1610. Notwithstanding section 1101, the level for ''Department of Homeland Security, U.S. Customs and Border Protection, Construction and Facilities Management'' shall be $241,040,000.

SEC. 1611. Notwithstanding section 1101, the level for ''Department of Homeland Security, U.S. Immigration and Customs Enforcement, Salaries and Expenses'' shall be $5,399,894,000: *Provided*, That U.S. Immigration and Customs Enforcement shall maintain a level of not fewer than 33,400 detention beds throughout fiscal year 2011.

SEC. 1612. Notwithstanding section 1101, the level for ''Department of Homeland Security, U.S. Immigration and Customs Enforcement, Automation Modernization'' shall be $75,000,000.

SEC. 1613. Notwithstanding section 1101, the level for ''Department of Homeland Security, U.S. Immigration and Customs Enforcement, Construction'' shall be $0.

SEC. 1614. Notwithstanding section 1101, the level for ''Department of Homeland Security, Transportation Security Administration, Aviation Security'' shall be $5,113,796,000: *Provided*, That the amounts included under such heading in Public Law 111–83 shall be applied to funds appropriated by this division as follows: by substituting ''$5,113,796,000'' for ''$5,214,040,000''; by substituting ''$4,121,329,000'' for ''$4,358,076,000''; by substituting ''$607,891,000'' for ''$1,116,406,000''; by substituting ''$992,467,000'' for ''$855,964,000''; by substituting ''$291,266,000'' for ''$778,300,000''; by substituting ''9 percent'' for ''28 percent''; and by substituting ''$3,013,796,000'' for ''$3,114,040,000'': *Provided further*, That none of the funds in this division may be used for any recruiting or hiring of personnel into the Transportation Security Administration that would cause the agency to exceed a staffing level of 46,000 full-time equivalent screeners: *Provided further*, That not later than August 15, 2011, the Secretary of Homeland Security shall submit a detailed report on (1) the Department's efforts and the resources being devoted to develop more advanced, integrated passenger screening technologies for the most effective security of passengers and baggage at the lowest possible operating and acquisition costs, and (2) how the Transportation Security Administration is deploying its existing screener workforce in the most cost-effective manner.

SEC. 1615. Notwithstanding section 1101, the level for ''Department of Homeland Security, Transportation Security Administration, Surface Transportation Security'' shall be $105,961,000.

SEC. 1616. Notwithstanding section 1101, the level for ''Department of Homeland Security, Transportation Security Administration, Transportation Threat Assessment and Credentialing'' shall be $162,999,000.

SEC. 1617. Notwithstanding section 1101, the level for ''Department of Homeland Security, Transportation Security Administration, Transportation Security Support'' shall be $988,638,000: *Provided*, That within ''Department of Homeland Security, Transportation Security Administration, Transportation Security Support'', funding for intelligence and international programs shall be no less than the level provided for such purposes for fiscal year 2010: *Provided further*, That within ''Department of Homeland Security, Transportation Security Administration, Transportation Security Support'', funding for headquarters administration and information technology shall not exceed $705,239,000.

SEC. 1618. Notwithstanding section 1101, the level for ''Department of Homeland Security, Transportation Security Administration, Federal Air Marshals'' shall be $934,802,000.

SEC. 1619. Notwithstanding section 1101, the level for ''Department of Homeland Security, Coast Guard, Operating Expenses'' shall be $6,885,432,000 of which $241,503,000 is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress), and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress): *Provided*, That the Coast Guard may decommission one Medium Endurance Cutter, two High Endurance Cutters, four HU–25 aircraft, and one Maritime Safety and Security Team, and may make necessary staffing adjustments at the Coast Guard Investigative Service and other support units, as specified in the budget justification materials for fiscal year 2011 as submitted to the Committees on Appropriations of the Senate and House of Representatives: *Provided further*, That the Coast Guard shall submit a future-years capital investment plan, as specified in the Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83), for fiscal years 2012 through 2016 to the Committees on Appropriations of the Senate and House of Representatives in conjunction with the budget justification materials for fiscal year 2012.

SEC. 1620. Notwithstanding section 1101, the level for ''Department of Homeland Security, Coast Guard, Acquisition, Construction, and Improvements'' shall be $1,427,783,000, of which $42,000,000 shall be for vessels, small boats, critical infrastructure, and related equipment; of which $36,000,000 shall be for other equipment; of which $49,200,000 shall be for shore facilities and aids to navigation facilities; of which $106,083,000 shall be available for personnel compensation and benefits and related costs; and of which $1,194,500,000 shall be for the Integrated Deepwater Systems program: *Provided*, That of the funds made available for the Integrated Deepwater Systems program, $101,000,000 is for aircraft and $938,000,000 is for surface ships.

SEC. 1621. Notwithstanding section 1101, the level for ''Department of Homeland Security, Coast Guard, Alteration of Bridges'' shall be $0.

SEC. 1622. Notwithstanding section 1101, the level for ''Department of Homeland Security, United States Secret Service, Salaries and Expenses'' shall be $1,499,669,000.

SEC. 1623. Notwithstanding section 1101, the level for ''Department of Homeland Security, National Protection and Programs Directorate, Management and Administration'' shall be $43,577,000.

SEC. 1624. Notwithstanding section 1101, the level for ''Department of Homeland Security, National Protection and Programs Directorate, Infrastructure Protection and Information Security'' shall be $805,965,000.

SEC. 1625. Notwithstanding section 1101, the level for ''Department of Homeland Security, National Protection and Programs Directorate, United States Visitor and Immigrant Status Indicator Technology'' shall be $334,613,000.

SEC. 1626. Notwithstanding section 1101, the level for ''Department of Homeland Security, Office of Health Affairs'' shall be $134,250,000.

SEC. 1627. Notwithstanding section 1101, the level for ''Department of Homeland Security, Federal Emergency Management Agency, Management and Administration'' shall be $773,350,000, of which $0 shall be for capital improvements at the Mount Weather Emergency Operations Center.

SEC. 1628. Notwithstanding section 1101, the level for ''Department of Homeland Security, Federal Emergency Management Agency, State and Local Programs'' shall be $2,149,500,000: *Provided*, That of the amount provided by this division for the State Homeland Security Grant Program under such heading, $50,000,000 shall be for the Driver's License Security Grant Program and $10,000,000 shall be for the Citizen Corps Program: *Provided further*, That the amounts provided by this division for the Citizen Corps Program under such heading shall not be subject to the requirements of subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 603 et seq.): *Provided further*, That the amounts included under such heading in Public Law 111–83 shall be applied to funds appropriated by this division as follows: in paragraph (1), by substituting ''$900,000,000'' for ''$950,000,000''; in paragraph (2), by substituting ''$800,000,000'' for ''$887,000,000''; in paragraph (3), by substituting ''$0'' for ''$35,000,000''; in paragraph (5), by substituting ''$0'' for ''$13,000,000''; in paragraph (6), by substituting ''$100,000,000'' for ''$300,000,000''; in paragraph (7), by substituting ''$100,000,000'' for ''$300,000,000''; in paragraph (8), by substituting ''$5,000,000'' for ''$12,000,000''; in paragraph (9), by substituting ''$0'' for ''$50,000,000''; in paragraph (10), by substituting ''$0'' for ''$50,000,000''; in paragraph (11), by substituting ''$0'' for ''$50,000,000''; in paragraph (12), by substituting ''$0'' for each amount in such paragraph; in paragraph (13), by substituting ''$203,500,000'' for ''$267,200,000''; in paragraph (13)(A), by substituting ''$112,500,000'' for ''$164,500,000''; in paragraph (13)(B), by substituting ''$0'' for ''$1,700,000''; and in paragraph (13)(C), by substituting ''$0'' for ''$3,000,000'': *Provided further*, That 4.5 percent of the amount provided for ''Department of Homeland Security, Federal Emergency Management Agency, State and Local Programs'' by this division shall be transferred to ''Department of Homeland Security, Federal Emergency Management Agency, Management and Administration'' for program administration.

□ 0050

Mr. ADERHOLT (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 253, line 6 be considered as read, printed in the RECORD and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 1629. Notwithstanding section 1101, the level for ''Department of Homeland Security, Federal Emergency Management Agency, Firefighter Assistance Grants'' for programs authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), shall be $300,000,000, of which

$30,000,000 shall be available to carry out section 33 of that Act (15 U.S.C. 2229) and $0 shall be available to carry out section 34 of that Act (15 U.S.C. 2229a).

AMENDMENT NO. 223 OFFERED BY MR. PASCRELL

Mr. PASCRELL. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 253, line 12, after the first dollar amount, insert ''(increased by $510,000,000)''.

Page 253, line 12, after the second dollar amount, insert ''(increased by $90,000,000)''.

Page 253, line 14, after the dollar amount, insert ''(increased by $420,000,000)''.

Page 255, line 21, after the dollar amount, insert ''(reduced by $510,000,000)''.

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

Mr. PASCRELL. Mr. Chairman, as a former mayor, I have always believed that our Nation's first responders constitute both our first and our last line of defense for the American people. This continuing resolution before us today fails our first responders. Regrettably, we are treating these public safety officers as being non-security, discretionary spending and have subjected them to drastic cuts.

Real homeland security starts on our streets. We all remember on 9/11 when we were attacked on our own soil. It was our brave cops and firefighters who ran into the burning buildings. The Federal Government was not there. To say that funding our cops and firefighters is not national security spending is ludicrous. Our brave local police officers and firefighters who protect our streets day and night are the very essence of our national security.

Earlier in the process we debated the COPS Program. An amendment tonight restores critical funding for its counterpart, the FIRE Act and the SAFER Grant programs. The continuing resolution significantly reduces funding for the FIRE Act and eliminates all funding for SAFER grants, over $510 million in cuts in total. This would absolutely be devastating for our public safety professionals who rely on this funding for the equipment and personnel they need to protect our communities.

The FIRE and SAFER grants help local fire departments equip, train and maintain their personnel, preparing them to respond to all forms of an emergency. And things changed, didn't they, after 9/11? An independent evaluation of the FIRE program published by the U.S. Fire Administration concluded that it was highly effective in improving the readiness and capabilities of firefighters across the Nation.

I may add, Mr. Chairman, that the FIRE programs and the COPS programs are among the highest efficiency and most effective programs run by the Federal Government. The money goes directly to the communities, so States can't skim off the top. They are effective and they are competitive, and no one has challenged that in 10 years.

SAFER has been critical to many local departments who, as a result of recent economic downturns, have been forced to cut personnel and services.

What effect would cuts to these programs have? Let's go to the real world and not the video.

Bethesda Volunteer Fire Department in Coleman, Alabama, they used the FIRE grant to purchase personnel protective equipment which now allows them to enter a burning structure to search for victims and to extinguish the fires. Previously, the department did not have the proper equipment to do this. Today they have greatly reduced the amount of total-loss structures in their region.

North County Fire Protection District in Holbrooke, California, they were able to purchase emergency backup power generators. During the 2007 San Diego firestorms, power failed throughout the community early on the first day and was not completely restored in the community for 2 weeks. The emergency power generators they purchased with their FIRE grant allowed them to keep all of the facilities fully functional.

Before the Belle Chasse Volunteer Fire Department in Belle Chasse, Louisiana, received a SAFER grant in 2008, the department could not comply with the National Fire Protection Association standards. There is such a thing. Before we cut something, we should know what the alternatives are. Its initial alarm assignment capability was only 20 percent in that time. That insufficient level of service put the communities and the volunteer firefighters at considerable risk for injury or even the loss of life.

Thanks to a SAFER grant, the department was able to hire 45 firefighters, increase the rate of compliance, and it is now estimated that the compliance is 90 percent and they have increased their initial alarm dispatch with three more engine companies.

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

(By unanimous consent, Mr. PASCRELL was allowed to proceed for 1 additional minute.)

Mr. PASCRELL. Together, FIRE and SAFER grants have provided over $7 billion in firefighter jobs, equipment and training for local fire departments. It is serious business. We are talking life and limb, and we are talking about property here. To me, cutting these critical programs is wrong, especially when local fire department budgets are already strained. We are facing it in all of our districts. You know that.

My amendment restores the funding for FIRE and SAFER to their fiscal 2010 amounts: $390 million for FIRE, $420 million for SAFER. Because of the rule, we are forced to reluctantly take funding from DHS Science and Technology. If this amendment passes, I hope we can restore some of the funding during conference.

I hope that both sides will come together on this. It has bipartisan support. We need to protect our firefighters.

I yield back the balance of my time.

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

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

Mr. ADERHOLT. Mr. Chairman, this CR strikes the right balance between funding priority programs that are essential to our Nation's security and keeping our discretionary spending in check. Let me just say that $300 million is included in this CR for fire equipment, and this only applies to the SAFER grants. As has been stated, there are no funds in the bill for SAFER grants.

Just 5 years ago, this program was funded at $65 million, but last year it had ballooned to $420 million and included a waiver for the cost-share requirements with local governments. In 2009, Congress provided $210 million for the SAFER grants, supporting 1,236 jobs at the high cost of $170,000 per job.

In the just-released FY12 request, the Department of Homeland Security plans to create or retain 2,200 firefighters at a cost of $190,000 per job. This seems unrealistic at a time when our Nation faces serious fiscal constraints. While we all know local budgets are under fiscal pressures, the hiring of local firefighters at a cost of $190,000 per job should not be borne by the Federal Government. These cuts will not be easy, but they are long overdue and necessary to address our out-of-control Federal spending.

Beyond this, the proposed offset is not prudent and ignores the fact that this CR has already cut the Science and Technology Directorate funding. This enormous reduction to a budget that barely amounts to $1 billion would absolutely be devastating.

□ 0100

S&T is the single organization within the Department of Homeland Security that performs research and stimulates and funds related research initiatives within the private sector—to include work underway at the Transportation Security Laboratory in New Jersey and at the Pacific Northwest Laboratory. The projects that this funding supports are crucial to the homeland mission, and this cut will either significantly slow or end their progress.

I would urge my colleagues to oppose this amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

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

Mr. PRICE of North Carolina. Mr. Chairman, I rise in qualified support of this amendment.

The bill before us eliminates the firefighter hiring program, known as SAFER, and it reduces funding for grants to purchase fire equipment by 23 percent. If adopted, these cuts will result in over 2,400 firefighters being laid

off in 2011 and prevent fire departments from purchasing equipment, breathing apparatus, and protective gear that our firefighters depend on during a time of emergency. This is simply not acceptable.

During my tenure as chairman of the Homeland Security Appropriations Committee, we ensured that not only was funding providing for these critical firefighter programs, but that these dollars could be used flexibly in this time of economic stress to retain firefighters that might lose their jobs, to rehire firefighters that have been laid off due to economic conditions, as well as to hire new firefighters.

Repeatedly, I hear from communities that were able to use funds for these purposes. For example, in Plaquemines Parish, Louisiana, SAFER funding was used to hire and retain a total of 73 firefighters, ensuring that seven departments had salaried firefighters and that 12 parish fire stations could be manned 24 hours a day, 7 days a week.

The North Las Vegas Fire Department was able to hire 15 new firefighters with a SAFER grant, permitting them to open an eighth fire station, thereby reducing response times and enhancing the level of protection for city residents as well as the millions of visitors to Las Vegas.

Spanish Forth, Alabama, recently received a SAFER grant that allowed them to retain their whole roster of firefighters instead of letting some go. Collinsville, Illinois, received a recent grant, allowing them to retain five firefighters who otherwise would have been laid off.

Retaining this funding, Mr. Chairman, preserves government services that are critical to our public safety and security. Local governments are already facing serious budget constraints. The CR simply exacerbates the layoffs we're already seeing with public safety personnel. This amendment will help keep thousands of firefighters on the job.

Mr. Chairman, I must express some reservations about how the increase in firefighter grants is paid for in this amendment. The gentleman's amendment drastically reduces funding for research and development activities throughout the Department of Homeland Security. It's not desirable or wise to cut the Department's research and development budget so much. But, unfortunately, the majority has prevented us from paying for these amendments from other parts of the bill, and the overall allocation for Homeland Security and the rest of the domestic agencies is completely inadequate.

So I support this amendment, but I'll work diligently to restore these funding cuts as the bill progresses and we get down to responsible budgeting in negotiations with the Senate and the White House.

Mr. Chairman, Members have a choice to make: Support this amendment and support your local firefighters, or vote ''no'' and see a decline in critical first responder personnel in this country and in the options available to hard-pressed local communities.

I urge my colleagues to vote ''yes'' on this amendment.

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

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

Mr. ROGERS of Kentucky. I yield to the chairman of the subcommittee.

Mr. ADERHOLT. Let me say, Mr. Chairman, that I realize the importance that these grants do contribute, and the bottom line right now is we simply can't afford it in the position we're in right now. As we move forward for the FY12 budget, I'll be happy to work with the ranking member of the subcommittee and the gentleman from New Jersey as we move forward to try to work on this. But the bottom line is today we cannot afford this at this point, but I certainly would look forward to working with both of them as we move forward in FY12.

At the end of the day, on the amendment today, I do urge my colleagues to oppose the amendment that we have before us.

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

The Acting CHAIR. Without objection, the gentleman from New Jersey is recognized for 5 minutes.

There was no objection.

Mr. PASCRELL. To zero out one of the most effective and efficient programs in the Federal Government—and all objective observers have come to that conclusion. And yes, we do have to cut. That's why we're here. But we don't have to cut what is an essential service when we know what the results of this legislation have brought. I have been on Homeland Security from day one. I think I know it. But that's beside the point.

Today, we know what the results have been of this legislation. So, for the 2,400 firefighters right off that bat that would be laid off, because this is a 3-year plan, there's certain matches that have to go into it. Those matches have been reduced so that other local communities can get involved.

When we see what happens with many Federal programs that go through States and never wind up to do what they have to do, this stands out above everything else. It is not enough for us to pat firefighters on the back, to bring our grandkids to get up on the fire engines when we are pulling the rug out from under them.

When this passed 10 years ago, there were fire companies throughout the United States that had to push their equipment to the fire. We are here at 1 o'clock in the morning questioning that this is not a priority of ours and we can't afford this right now. I can tell you what we can't afford. We can't afford other things in other places, but we need to protect our first responders. If we meant what we said on 9/12/2001, then we need to do something right now to protect them.

This is a visceral subject, there's no question about it. I have not heard one argument where this legislation has let us down one iota. In fact, it has delivered what it said it was going to deliver.

Whether you be volunteers or career firefighters, you are assisted by the SAFER bill, and we made it that way. When you look at the FIRE Act itself, that act went to all the small departments. In fact, we skewed it. The first 2 years of the program was to go to smaller fire departments, not to big cities, and we followed through on that.

Do you know how these applications are evaluated? They're evaluated by peers. It costs us very little to do it. That's why it's efficient as well as an effective program. We should all belong to the Police Caucus and the Fire Caucus. They don't need our pats on the back. They don't need our words of inspiration. What they need is some help to put enough people out there.

These are people's lives we're talking about. How dare we even consider. You talk about 6 years ago. The conditions of our municipalities large and small are quite different now than they were 6 years ago. They're laying off cops and firefighters.

Someone mentioned when we were discussing the COPS program earlier this evening—last night—they were talking about what happened in Camden, New Jersey. They're laying off half the fire department and half the police department. Don't we have some responsibility in this?

And, by the way, that part of Homeland Security which protects the Nation and protects them through our first responders, since they're the fire people there, God knows, when a catastrophe occurs, what, are we putting the brakes on that? Are we going out on recess? These are the line between us and perhaps disaster. We cannot.

Much of the equipment that was bought in the FIRE Act, competitive bidding, much of that equipment saved lives already. Most of the firefighters—all of the firefighters—who were hired, because we wanted to give someone in every town some edge when they were down below the ranks that they should have, those firefighters save lives.

□ 0110

Mr. Chairman, we need bipartisan support on this amendment. It is good for America, and it works. No one has questioned that this evening.

I yield back the balance of my time.

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

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

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

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

the gentleman from New Jersey will be postponed.

Mr. ADERHOLT. Mr. Chairman, I ask unanimous consent that the bill through page 263, line 9, be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The text of that portion of the bill is as follows:

SEC. 1630. Notwithstanding section 1101, the level for ''Department of Homeland Security, Federal Emergency Management Agency, Emergency Management Performance Grants'' shall be $300,000,000.

SEC. 1631. Notwithstanding section 1101, the level for ''Department of Homeland Security, Federal Emergency Management Agency, Disaster Relief'' shall be $3,165,000,000.

SEC. 1632. Notwithstanding section 1101, in fiscal year 2011, funds shall not be available from the National Flood Insurance Fund under section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017) for operating expenses in excess of $110,000,000, and for agents' commissions and taxes in excess of $963,339,000: *Provided*, That notwithstanding section 1101, for activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) and the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), the level shall be $169,000,000, which shall be derived from offsetting collections assessed and collected under 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)), of which not to exceed $22,145,000 shall be available for salaries and expenses associated with flood mitigation and flood insurance operations; and not less than $146,855,000 shall be available for floodplain management and flood mapping, which shall remain available until September 30, 2012.

SEC. 1633. Notwithstanding section 1101, the level for ''Department of Homeland Security, Federal Emergency Management Agency, National Predisaster Mitigation Fund'' shall be $65,000,000.

SEC. 1634. Notwithstanding section 1101, the level for ''Department of Homeland Security, Federal Emergency Management Agency, Emergency Food and Shelter'' shall be $100,000,000.

SEC. 1635. Notwithstanding section 1101, the level for ''Department of Homeland Security, United States Citizenship and Immigration Services'' shall be $275,776,000, of which $151,376,000 is for processing applications for asylum and refugee status, and of which $103,400,000 shall be for the E-Verify Program: *Provided*, That none of the funds made available under this heading may be used for grants for immigrant integration.

SEC. 1636. Notwithstanding section 1101, the level for ''Department of Homeland Security, Federal Law Enforcement Training Center, Acquisitions, Construction, Improvements, and Related Expenses'' shall be $38,456,000.

SEC. 1637. Notwithstanding section 1101, the level for ''Department of Homeland Security, Science and Technology, Management and Administration'' shall be $141,200,000.

SEC. 1638. Notwithstanding section 1101, the level for ''Department of Homeland Security, Science and Technology, Research, Development, Acquisition, and Operations'' shall be $778,906,000: *Provided*, That the final proviso included under the heading ''Department of Homeland Security, Science and Technology, Research, Development, Acquisition, and Operations'' in the Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83) shall have no force or effect.

SEC. 1639. Notwithstanding section 1101, the level for ''Department of Homeland Security, Domestic Nuclear Detection Office, Management and Administration'' shall be $36,992,000.

SEC. 1640. Notwithstanding section 1101, the level for ''Department of Homeland Security, Domestic Nuclear Detection Office, Research, Development, and Operations'' shall be $293,537,000.

SEC. 1641. (a) Section 560 of Public Law 111–83 shall not apply to funds appropriated by this division.

(b) Upon completion of 50 percent of design planning for the National Bio- and Agro-Defense Facility, and prior to construction of that facility, the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a revised site-specific biosafety and biosecurity mitigation risk assessment that describes how to significantly reduce risks of conducting essential research and diagnostic testing at the National Bio- and Agro-Defense Facility and addresses shortcomings identified in the National Academy of Sciences' evaluation of the initial site-specific biosafety and biosecurity mitigation risk assessment.

(c) The revised site-specific biosafety and biosecurity mitigation risk assessment required by subsection (b) shall—

(1) include a quantitative risk assessment for foot-and-mouth disease virus, in particular epidemiological and economic impact modeling to determine the overall risk of operating the facility for its expected 50-year life span, taking into account strategies to mitigate risk of foot-and-mouth disease virus release from the laboratory and ensure safe operations at the approved National Bio- and Agro-Defense Facility site;

(2) address the impact of surveillance, response, and mitigation plans (developed in consultation with local, State, and Federal authorities and appropriate stakeholders) if a release occurs, to detect and control the spread of disease; and

(3) include overall risks of the most dangerous pathogens the Department of Homeland Security expects to hold in the National Bio- and Agro-Defense Facility's biosafety level 4 facility, and effectiveness of mitigation strategies to reduce those risks.

(d) The Department of Homeland Security shall enter into a contract with the National Academy of Sciences to evaluate the adequacy and validity of the risk assessment required by subsection (b). The National Academy of Sciences shall submit a report on such evaluation within four months after the date the Department of Homeland Security concludes its risk assessment.

SEC. 1642. Section 503 of the Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83) is amended by adding at the end the following:

''(e) The notification thresholds and procedures set forth in this section shall apply to deviations from the amounts designated for specific activities in this Act and accompanying statement, and to any use of deobligated balances of funds provided under this title in previous years.''.

SEC. 1643. For fiscal year 2011, sections 529, 541, and 545 of the Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83; 123 Stat. 2174, 2176) shall have no force or effect.

SEC. 1644. Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a), by striking ''Until September 30, 2010,'' and inserting ''Until September 30, 2011,''; and

(2) in subsection (d)(1), by striking ''September 30, 2010,'' and inserting ''September 30, 2011,''.

SEC. 1645. Section 532(a) of Public Law 109–295 (120 Stat. 1384) is amended by striking ''2010'' and inserting ''2011''.

SEC. 1646. Of the funds transferred to the Department of Homeland Security when it was created in 2003, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

(1) ''Operations'', $1,891,657;

(2) ''Violent Crime Reduction Program'', $4,912,245;

(3) ''U.S. Customs and Border Protection, Salaries and Expenses'', $21,210,423; and

(4) ''Office for Domestic Preparedness'', $10,568,964.

SEC. 1647. The following unobligated balances made available to the Department of Homeland Security pursuant to section 505 of Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83; 123 Stat. 2174) are rescinded: $886,665 from ''Office of the Secretary and Executive Management''; $604,342 from ''Office of the Under Secretary for Management''; $24,379 from the ''Office of the Chief Financial Officer''; $29,741 from ''Office of the Chief Information Officer''; $218,173 from ''Analysis and Operations''; $76,498 from ''Office of the Federal Coordinator for Gulf Coast Rebuilding''; $197,272 from ''Office of Inspector General''; $11,373,129 from ''U.S. Customs and Border Protection, Salaries and Expenses''; $691,552 from ''U.S. Immigration and Customs Enforcement, Salaries and Expenses''; $2,555,962 from ''Transportation Security Administration, Federal Air Marshals''; $8,617,331 from ''Coast Guard, Operating Expenses''; $2,965,312 from ''Coast Guard, Reserve Training''; $83,784 from ''National Protection and Programs Directorate, Management and Administration''; $551,737 from ''National Protection and Programs Directorate, Infrastructure Protection and Information Security''; $704,700 from ''United States Secret Service, Salaries and Expenses''; $863,628 from ''Federal Emergency Management Agency, Management and Administration''; $864,660 from ''Office of Health Affairs''; $7,945,983 from ''United States Citizenship and Immigration Services''; $960,828 from ''Federal Law Enforcement Training Center, Salaries and Expenses''; $353,524 from ''Science and Technology, Management and Administration''; and $45,468 from ''Domestic Nuclear Detection Office, Management and Administration''.

SEC. 1648. Of the funds appropriated to the Department of Homeland Security, the following unobligated balances are hereby rescinded from the following accounts and programs in the specified amounts:

(1) ''Department of Homeland Security, U.S. Customs and Border Protection, Automation Modernization'', $10,000,000.

(2) ''Department of Homeland Security, U.S. Customs and Border Protection, Border Security Fencing, Infrastructure, and Technology'', $119,000,000.

(3) ''Department of Homeland Security, Office of Health Affairs'', $5,562,000.

(4) ''Department of Homeland Security, Federal Emergency Management Agency, National Predisaster Mitigation Fund'', $18,173,641.

(5) ''Department of Homeland Security, Science and Technology, Research, Development, Acquisition, and Operations'', $8,500,000.

(6) ''Department of Homeland Security, Domestic Nuclear Detection Office, Research, Development, and Operations'', $17,100,000.

(7) ''Department of Homeland Security, Coast Guard, Acquisition, Construction, and Improvements'', $1,122,000.

SEC. 1649. Of the unobligated balances available for ''Department of Homeland Security, U.S. Customs and Border Protection, Construction'' for construction projects, $106,556,000 is rescinded: *Provided*, That the amounts rescinded under this section shall be limited to amounts available for Border Patrol projects and facilities as recommended by the Department of Homeland Security in the fiscal year 2011 budget request.

SEC. 1650. Of the unobligated balances made available under section 44945 of title 49, United States Code, $800,000 is rescinded.

SEC. 1651. Of the unobligated balances available for ''Department of Homeland Security, Transportation Security Administration'', $15,000,000 is rescinded: *Provided*, That the Transportation Security Administration shall not rescind any unobligated balances from the following programs: explosives detection systems; checkpoint support; aviation regulation and other enforcement; and air cargo.

SEC. 1652. Of the unobligated balances available for ''Department of Homeland Security, National Protection and Programs Directorate, Infrastructure Protection and Information Security'', the following amounts are rescinded:

(1) $6,000,000 from Next Generation Networks.

(2) $9,600,000 to be specified in a report submitted by the Secretary of Homeland Security to the Committees on Appropriations of the Senate and the House of Representatives no later than 15 days after the date of enactment of this division, that describes the amounts rescinded and the original purpose of such funds.

SEC. 1653. From the unobligated balances of funds made available in the Department of the Treasury Forfeiture Fund established by section 9703 of title 31, United States Code, that was added to such title by section 638 of Public Law 102–393, $22,600,000 is rescinded.

Mr. ROGERS of Kentucky. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ALDERHOLT) having assumed the chair, Mr. CHAFFETZ, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1) making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes, had come to no resolution thereon.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON ETHICS FOR THE 112TH CONGRESS

Mr. BONNER. Mr. Speaker, I submit for publication the attached copy of the Rules of the Committee on Ethics for the U.S. House of Representatives for the 112th Congress. The Committee on Ethics adopted these rules pursuant to House Rule XI, clause 2(a)(1) on February 15, 2011. I am submitting these rules for publication in compliance with House Rule XI, clause 2(a)(2).

FOREWORD

The Committee on Ethics is unique in the House of Representatives. Consistent with the duty to carry out its advisory and enforcement responsibilities in an impartial manner, the Committee is the only standing committee of the House of Representatives the membership of which is divided evenly by party. These rules are intended to provide a fair procedural framework for the conduct of the Committee's activities and to help ensure that the Committee serves well the people of the United States, the House of Representatives, and the Members, officers, and employees of the House of Representatives.

PART I—GENERAL COMMITTEE RULES

RULE 1. GENERAL PROVISIONS

(a) So far as applicable, these rules and the Rules of the House of Representatives shall be the rules of the Committee and any subcommittee. The Committee adopts these rules under the authority of clause 2(a)(1) of Rule XI of the Rules of the House of Representatives, 112th Congress.

(b) The rules of the Committee may be modified, amended, or repealed by a vote of a majority of the Committee.

(c) When the interests of justice so require, the Committee, by a majority vote of its members, may adopt any special procedures, not inconsistent with these rules, deemed necessary to resolve a particular matter before it. Copies of such special procedures shall be furnished to all parties in the matter.

(d) The Chair and Ranking Minority Member shall have access to such information that they request as necessary to conduct Committee business.

RULE 2. DEFINITIONS

(a) ''Committee'' means the Committee on Ethics.

(b) ''Complaint'' means a written allegation of improper conduct against a Member, officer, or employee of the House of Representatives filed with the Committee with the intent to initiate an inquiry.

(c) ''Inquiry'' means an investigation by an investigative subcommittee into allegations against a Member, officer, or employee of the House of Representatives.

(d) ''Investigate,'' ''Investigating,'' and/or ''Investigation'' mean review of the conduct of a Member, officer or employee of the House of Representatives that is conducted or authorized by the Committee, an investigative subcommittee, or the Chair and Ranking Minority Member of the Committee.

(e) ''Board'' means the Board of the Office of Congressional Ethics.

(f) ''Referral'' means a report sent to the Committee from the Board pursuant to House Rules and all applicable House Resolutions regarding the conduct of a House Member, officer or employee, including any accompanying findings or other supporting documentation.

(g) ''Investigative Subcommittee'' means a subcommittee designated pursuant to Rule 19(a) to conduct an inquiry to determine if a Statement of Alleged Violation should be issued.

(h) ''Statement of Alleged Violation'' means a formal charging document filed by an investigative subcommittee with the Committee containing specific allegations against a Member, officer, or employee of the House of Representatives of a violation of the Code of Official Conduct, or of a law, rule, regulation, or other standard of conduct applicable to the performance of official duties or the discharge of official responsibilities.

(i) ''Adjudicatory Subcommittee'' means a subcommittee designated pursuant to Rule 23(a) that holds an adjudicatory hearing and determines whether the counts in a Statement of Alleged Violation are proved by clear and convincing evidence.

(j) ''Sanction Hearing'' means a Committee hearing to determine what sanction, if any, to adopt or to recommend to the House of Representatives.

(k) ''Respondent'' means a Member, officer, or employee of the House of Representatives who is the subject of a complaint filed with the Committee or who is the subject of an inquiry or a Statement of Alleged Violation.

(l) ''Office of Advice and Education'' refers to the Office established by section 803(i) of the Ethics Reform Act of 1989. The Office handles inquiries; prepares written opinions in response to specific requests; develops general guidance; and organizes seminars, workshops, and briefings for the benefit of the House of Representatives.

(m) ''Member'' means a Representative in, or a Delegate to, or the Resident Commissioner to, the U.S. House of Representatives.

RULE 3. ADVISORY OPINIONS AND WAIVERS

(a) The Office of Advice and Education shall handle inquiries; prepare written opinions providing specific advice, including reviews of requests for privately-sponsored travel pursuant to the Committee's travel regulations; develop general guidance; and organize seminars, workshops, and briefings for the benefit of the House of Representatives.

(b) Any Member, officer, or employee of the House of Representatives may request a written opinion with respect to the propriety of any current or proposed conduct of such Member, officer, or employee.

(c) The Office of Advice and Education may provide information and guidance regarding laws, rules, regulations, and other standards of conduct applicable to Members, officers, and employees in the performance of their duties or the discharge of their responsibilities.

(d) In general, the Committee shall provide a written opinion to an individual only in response to a written request, and the written opinion shall address the conduct only of the inquiring individual, or of persons for whom the inquiring individual is responsible as employing authority.

(e) A written request for an opinion shall be addressed to the Chair of the Committee and shall include a complete and accurate statement of the relevant facts. A request shall be signed by the requester or the requester's authorized representative or employing authority. A representative shall disclose to the Committee the identity of the principal on whose behalf advice is being sought.

(f) Requests for privately-sponsored travel shall be treated like any other request for a written opinion for purposes of paragraphs (g) through (l).

(1) The Committee's Travel Guidelines and Regulations shall govern the request submission and Committee approval process for privately-sponsored travel consistent with House Rules.

(2) A request for privately-sponsored travel of a Member, officer, or employee shall include a completed and signed Traveler Form that attaches the Private Sponsor Certification Form and includes all information required by the Committee's travel regulations. A private sponsor offering officially-connected travel to a Member, officer, or employee must complete and sign a Private Sponsor Certification Form, and provide a copy of that form to the invitee(s).

(3) Any individual who knowingly and willfully falsifies, or who knowingly and willfully fails to file a Traveler Form or Private Sponsor Certification Form may be subject to civil penalties and criminal sanctions pursuant to 18 U.S.C. §1001.

(g) The Office of Advice and Education shall prepare for the Committee a response

to each written request for an opinion from a Member, officer, or employee. Each response shall discuss all applicable laws, rules, regulations, or other standards.

(h) Where a request is unclear or incomplete, the Office of Advice and Education may seek additional information from the requester.

(i) The Chair and Ranking Minority Member are authorized to take action on behalf of the Committee on any proposed written opinion that they determine does not require consideration by the Committee. If the Chair or Ranking Minority Member requests a written opinion, or seeks a waiver, extension, or approval pursuant to Rules 3(m), 4(c), 4(e), or 4(h), the next ranking member of the requester's party is authorized to act in lieu of the requester.

(j) The Committee shall keep confidential any request for advice from a Member, officer, or employee, as well as any response thereto. Upon request of any Member, officer, or employee who has submitted a written request for an opinion or submitted a request for privately-sponsored travel, the Committee may release to the requesting individual a copy of their own written request for advice or submitted travel forms, any subsequent written communications between such individual and Committee staff regarding the request, and any Committee advisory opinion or travel letter issued to that individual in response. The Committee shall not release any internal Committee staff work product, communications or notes in response to such a request, except as authorized by the Committee.

(k) The Committee may take no adverse action in regard to any conduct that has been undertaken in reliance on a written opinion if the conduct conforms to the specific facts addressed in the opinion.

(l) Information provided to the Committee by a Member, officer, or employee seeking advice regarding prospective conduct may not be used as the basis for initiating an investigation under clause 3(a)(2) or clause 3(b) of Rule XI of the Rules of the House of Representatives, if such Member, officer, or employee acts in good faith in accordance with the written advice of the Committee.

(m) A written request for a waiver of clause 5 of House Rule XXV (the House gift rule), or for any other waiver or approval, shall be treated in all respects like any other request for a written opinion.

(n) A written request for a waiver of clause 5 of House Rule XXV (the House gift rule) shall specify the nature of the waiver being sought and the specific circumstances justifying the waiver.

(o) An employee seeking a waiver of time limits applicable to travel paid for by a private source shall include with the request evidence that the employing authority is aware of the request. In any other instance where proposed employee conduct may reflect on the performance of official duties, the Committee may require that the requester submit evidence that the employing authority knows of the conduct.

RULE 4. FINANCIAL DISCLOSURE

(a) In matters relating to Title I of the Ethics in Government Act of 1978, the Committee shall coordinate with the Clerk of the House of Representatives, Legislative Resource Center, to assure that appropriate individuals are notified of their obligation to file Financial Disclosure Statements and that such individuals are provided in a timely fashion with filing instructions and forms developed by the Committee.

(b) The Committee shall coordinate with the Legislative Resource Center to assure that information that the Ethics in Government Act requires to be placed on the public record is made public.

(c) Any Financial Disclosure Reports filed by Members of the Board of the Office of Congressional Ethics that are forwarded to the Committee by the Clerk shall not be subject to paragraphs (d) through (q) of this Rule regarding Financial Disclosure Statements filed pursuant to Title I of the Ethics in Government Act of 1978. The Office of Congressional Ethics retains jurisdiction over review of the timeliness and completeness of filings by Members of the Board as the Board's supervising ethics office.

(d) The Chair and Ranking Minority Member are authorized to grant on behalf of the Committee requests for reasonable extensions of time for the filing of Financial Disclosure Statements. Any such request must be received by the Committee no later than the date on which the Statement in question is due. A request received after such date may be granted by the Committee only in extraordinary circumstances. Such extensions for one individual in a calendar year shall not exceed a total of 90 days. No extension shall be granted authorizing a nonincumbent candidate to file a statement later than 30 days prior to a primary or general election in which the candidate is participating.

(e) An individual who takes legally sufficient action to withdraw as a candidate before the date on which that individual's Financial Disclosure Statement is due under the Ethics in Government Act shall not be required to file a Statement. An individual shall not be excused from filing a Financial Disclosure Statement when withdrawal as a candidate occurs after the date on which such Statement was due.

(f) Any individual who files a report required to be filed under Title I of the Ethics in Government Act more than 30 days after the later of—

(1) the date such report is required to be filed, or

(2) if a filing extension is granted to such individual, the last day of the filing extension period, is required by such Act to pay a late filing fee of $200. The Chair and Ranking Minority Member are authorized to approve requests that the fee be waived based on extraordinary circumstances.

(g) Any late report that is submitted without a required filing fee shall be deemed procedurally deficient and not properly filed.

(h) The Chair and Ranking Minority Member are authorized to approve requests for waivers of the aggregation and reporting of gifts as provided by section 102(a)(2)(C) of the Ethics in Government Act. If such a request is approved, both the incoming request and the Committee response shall be forwarded to the Legislative Resource Center for placement on the public record.

(i) The Chair and Ranking Minority Member are authorized to approve blind trusts as qualifying under section 102(0(3) of the Ethics in Government Act. The correspondence relating to formal approval of a blind trust, the trust document, the list of assets transferred to the trust, and any other documents required by law to be made public, shall be forwarded to the Legislative Resource Center for such purpose.

(j) The Committee shall designate staff counsel who shall review Financial Disclosure Statements and, based upon information contained therein, indicate in a form and manner prescribed by the Committee whether the Statement appears substantially accurate and complete and the filer appears to be in compliance with applicable laws and rules.

(k) Each Financial Disclosure Statement shall be reviewed within 60 days after the date of filing.

(l) If the reviewing counsel believes that additional information is required because (1) the Statement appears not substantially accurate or complete, or (2) the filer may not be in compliance with applicable laws or rules, then the reporting individual shall be notified in writing of the additional information believed to be required, or of the law or rule with which the reporting individual does not appear to be in compliance. Such notice shall also state the time within which a response is to be submitted. Any such notice shall remain confidential.

(m) Within the time specified, including any extension granted in accordance with clause (d), a reporting individual who concurs with the Committee's notification that the Statement is not complete, or that other action is required, shall submit the necessary information or take appropriate action. Any amendment may be in the form of a revised Financial Disclosure Statement or an explanatory letter addressed to the Clerk of the House of Representatives.

(n) Any amendment shall be placed on the public record in the same manner as other Statements. The individual designated by the Committee to review the original Statement shall review any amendment thereto.

(o) Within the time specified, including any extension granted in accordance with clause (d), a reporting individual who does not agree with the Committee that the Statement is deficient or that other action is required, shall be provided an opportunity to respond orally or in writing. If the explanation is accepted, a copy of the response, if written, or a note summarizing an oral response, shall be retained in Committee files with the original report.

(p) The Committee shall be the final arbiter of whether any Statement requires clarification or amendment.

(q) If the Committee determines, by vote of a majority of its members, that there is reason to believe that an individual has willfully failed to file a Statement or has willfully falsified or willfully failed to file information required to be reported, then the Committee shall refer the name of the individual, together with the evidence supporting its finding, to the Attorney General pursuant to section 104(b) of the Ethics in Government Act. Such referral shall not preclude the Committee from initiating such other action as may be authorized by other provisions of law or the Rules of the House of Representatives.

RULE 5. MEETINGS

(a) The regular meeting day of the Committee shall be the second Tuesday of each month, except when the House of Representatives is not meeting on that day. When the Committee Chair determines that there is sufficient reason, meetings may be called on additional days. A regularly scheduled meeting need not be held when the Chair determines there is no business to be considered.

(b) The Chair shall establish the agenda for meetings of the Committee and the Ranking Minority Member may place additional items on the agenda.

(c) All meetings of the Committee or any subcommittee shall occur in executive session unless the Committee or subcommittee, by an affirmative vote of a majority of its members, opens the meeting to the public.

(d) Any hearing held by an adjudicatory subcommittee or any sanction hearing held by the Committee shall be open to the public unless the Committee or subcommittee, by an affirmative vote of a majority of its members, closes the hearing to the public.

(e) A subcommittee shall meet at the discretion of its Chair.

(f) Insofar as practicable, notice for any Committee or subcommittee meeting shall be provided at least seven days in advance of the meeting. The Chair of the Committee or

subcommittee may waive such time period for good cause.

RULE 6. COMMITTEE STAFF

(a) The staff is to be assembled and retained as a professional, nonpartisan staff.

(b) Each member of the staff shall be professional and demonstrably qualified for the position for which the individual is hired.

(c) The staff as a whole and each individual member of the staff shall perform all official duties in a nonpartisan manner.

(d) No member of the staff shall engage in any partisan political activity directly affecting any congressional or presidential election.

(e) No member of the staff or outside counsel may accept public speaking engagements or write for publication on any subject that is in any way related to the employment or duties with the Committee of such individual without specific prior approval from the Chair and Ranking Minority Member.

(f) All staff members shall be appointed by an affirmative vote of a majority of the members of the Committee. Such vote shall occur at the first meeting of the membership of the Committee during each Congress and as necessary during the Congress.

(g) Subject to the approval of the Committee on House Administration, the Committee may retain counsel not employed by the House of Representatives whenever the Committee determines, by an affirmative vote of a majority of the members of the Committee, that the retention of outside counsel is necessary and appropriate.

(h) If the Committee determines that it is necessary to retain staff members for the purpose of a particular investigation or other proceeding, then such staff shall be retained only for the duration of that particular investigation or proceeding.

(i) Outside counsel may be dismissed prior to the end of a contract between the Committee and such counsel only by a majority vote of the members of the Committee.

(j) In addition to any other staff provided for by law, rule, or other authority, with respect to the Committee, the Chair and Ranking Minority Member each may appoint one individual as a shared staff member from the respective personal staff of the Chair or Ranking Minority Member to perform service for the Committee. Such shared staff may assist the Chair or Ranking Minority Member on any subcommittee on which the Chair or Ranking Minority Member serves. Only paragraphs (c) and (e) of this Rule and Rule 7(b) shall apply to shared staff.

RULE 7. CONFIDENTIALITY

(a) Before any Member or employee of the Committee, including members of an investigative subcommittee selected under clause 5(a)(4) of Rule X of the House of Representatives and shared staff designated pursuant to Committee Rule 6(j), may have access to information that is confidential under the rules of the Committee, the following oath (or affirmation) shall be executed in writing:

''I do solemnly swear (or affirm) that I will not disclose, to any person or entity outside the Committee on Ethics, any information received in the course of my service with the Committee, except as authorized by the Committee or in accordance with its rules.''

Copies of the executed oath shall be provided to the Clerk of the House as part of the records of the House. Breaches of confidentiality shall be investigated by the Committee and appropriate action shall be taken.

(b) No member of the staff or outside counsel may make public, unless approved by an affirmative vote of a majority of the members of the Committee, any information, document, or other material that is confidential, derived from executive session, or classified and that is obtained during the course of employment with the Committee.

(c) Committee members and staff shall not disclose any evidence relating to an investigation to any person or organization outside the Committee unless authorized by the Committee.

(d) Members and staff of the Committee shall not disclose to any person or organization outside the Committee, unless authorized by the Committee, any information regarding the Committee's or a subcommittee's investigative, adjudicatory or other proceedings, including but not limited to: (i) the fact or nature of any complaints; (ii) executive session proceedings; (iii) information pertaining to or copies of any Committee or subcommittee report, study or other document which purports to express the views, findings, conclusions or recommendations of the Committee or subcommittee in connection with any of its activities or proceedings; or (iv) any other information or allegation respecting the conduct of a Member, officer or employee of the House. This rule shall not prohibit the Chair or Ranking Minority Member from disclosing to the Board of the Office of Congressional Ethics the existence of a Committee investigation, the name of the Member, officer or employee of the House who is the subject of that investigation, and a brief statement of the scope of that investigation in a written request for referral pursuant to Rule 17A(k). Such disclosures will only be made subject to written confirmation from the Board that the information provided by Chair or Ranking Minority Member will be kept confidential by the Board.

(e) Except as otherwise specifically authorized by the Committee, no Committee member or staff member shall disclose to any person outside the Committee, the name of any witness subpoenaed to testify or to produce evidence.

(f) Except as provided in Rule 17A, the Committee shall not disclose to any person or organization outside the Committee any information concerning the conduct of a respondent until it has transmitted a Statement of Alleged Violation to such respondent and the respondent has been given full opportunity to respond pursuant to Rule 22. The Statement of Alleged Violation and any written response thereto shall be made public at the first meeting or hearing on the matter that is open to the public after such opportunity has been provided. Any other materials in the possession of the Committee regarding such statement may be made public as authorized by the Committee to the extent consistent with the Rules of the House of Representatives. If no public hearing is held on the matter, the Statement of Alleged Violation and any written response thereto shall be included in the Committee's final report on the matter to the House of Representatives.

(g) Unless otherwise determined by a vote of the Committee, only the Chair or Ranking Minority Member of the Committee, after consultation with each other, may make public statements regarding matters before the Committee or any subcommittee.

(h) The Committee may establish procedures necessary to prevent the unauthorized disclosure of any testimony or other information received by the Committee or its staff.

RULE 8. SUBCOMMITTEES—GENERAL POLICY AND STRUCTURE

(a) Notwithstanding any other provision of these Rules, the Chair and Ranking Minority Member of the Committee may consult with an investigative subcommittee either on their own initiative or on the initiative of the subcommittee, shall have access to evidence and information before a subcommittee with whom they so consult, and shall not thereby be precluded from serving as full, voting members of any adjudicatory subcommittee. Except for the Chair and Ranking Minority Member of the Committee pursuant to this paragraph, evidence in the possession of an investigative subcommittee shall not be disclosed to other Committee members except by a vote of the subcommittee.

(b) The Committee may establish other noninvestigative and nonadjudicatory subcommittees and may assign to them such functions as it may deem appropriate. The membership of each subcommittee shall provide equal representation for the majority and minority parties.

(c) The Chair may refer any bill, resolution, or other matter before the Committee to an appropriate subcommittee for consideration. Any such bill, resolution, or other matter may be discharged from the subcommittee to which it was referred by a majority vote of the Committee.

(d) Any member of the Committee may sit with any noninvestigative or nonadjudicatory subcommittee, but only regular members of such subcommittee may vote on any matter before that subcommittee.

RULE 9. QUORUMS AND MEMBER DISQUALIFICATION

(a) The quorum for an investigative subcommittee to take testimony and to receive evidence shall be two members, unless otherwise authorized by the House of Representatives.

(b) The quorum for an adjudicatory subcommittee to take testimony, receive evidence, or conduct business shall consist of a majority plus one of the members of the adjudicatory subcommittee.

(c) Except as stated in clauses (a) and (b) of this rule, a quorum for the purpose of conducting business consists of a majority of the members of the Committee or subcommittee.

(d) A member of the Committee shall be ineligible to participate in any Committee or subcommittee proceeding in which such Member is the respondent.

(e) A member of the Committee may seek disqualification from participating in any investigation of the conduct of a Member, officer, or employee of the House of Representatives upon the submission in writing and under oath of an affidavit of disqualification stating that the member cannot render an impartial and unbiased decision. If the Committee approves and accepts such affidavit of disqualification, the Chair shall so notify the Speaker and ask the Speaker to designate a Member of the House of Representatives from the same political party as the disqualified member of the Committee to act as a member of the Committee in any Committee proceeding relating to such investigation.

RULE 10. VOTE REQUIREMENTS

(a) The following actions shall be taken only upon an affirmative vote of a majority of the members of the Committee or subcommittee, as appropriate:

(1) Issuing a subpoena.

(2) Adopting a full Committee motion to create an investigative subcommittee.

(3) Adopting or amending of a Statement of Alleged Violation.

(4) Finding that a count in a Statement of Alleged Violation has been proved by clear and convincing evidence.

(5) Sending a letter of reproval.

(6) Adopting a recommendation to the House of Representatives that a sanction be imposed.

(7) Adopting a report relating to the conduct of a Member, officer, or employee.

(8) Issuing an advisory opinion of general applicability establishing new policy.

(b) Except as stated in clause (a), action may be taken by the Committee or any subcommittee thereof by a simple majority, a quorum being present.

(c) No motion made to take any of the actions enumerated in clause (a) of this rule may be entertained by the Chair unless a quorum of the Committee is present when such motion is made.

RULE 11. COMMITTEE RECORDS

(a) All communications and all pleadings pursuant to these rules shall be filed with the Committee at the Committee's office or such other place as designated by the Committee.

(b) All records of the Committee which have been delivered to the Archivist of the United States shall be made available to the public in accordance with Rule VII of the Rules of the House of Representatives.

RULE 12. BROADCASTS OF COMMITTEE AND SUBCOMMITTEE PROCEEDINGS

(a) Television or radio coverage of a Committee or subcommittee hearing or meeting shall be without commercial sponsorship.

(b) Not more than four television cameras, operating from fixed positions, shall be permitted in a hearing or meeting room. The Committee may allocate the positions of permitted television cameras among the television media in consultation with the Executive Committee of the Radio and Television Correspondents' Galleries.

(c) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and any member of the Committee, or the visibility of that witness and that member to each other.

(d) Television cameras shall not be placed in positions that unnecessarily obstruct the coverage of the hearing or meeting by the other media.

PART II—INVESTIGATIVE AUTHORITY

RULE 13. HOUSE RESOLUTION

Whenever the House of Representatives, by resolution, authorizes or directs the Committee to undertake an inquiry or investigation, the provisions of the resolution, in conjunction with these Rules, shall govern. To the extent the provisions of the resolution differ from these Rules, the resolution shall control.

RULE 14. COMMITTEE AUTHORITY TO INVESTIGATE—GENERAL POLICY

(a) Pursuant to clause 3(b) of Rule XI of the Rules of the House of Representatives, the Committee may exercise its investigative authority when:

(1) information offered as a complaint by a Member of the House of Representatives is transmitted directly to the Committee;

(2) information offered as a complaint by an individual not a Member of the House is transmitted to the Committee, provided that a Member of the House certifies in writing that such Member believes the information is submitted in good faith and warrants the review and consideration of the Committee;

(3) the Committee, on its own initiative, undertakes an investigation;

(4) a Member, officer, or employee is convicted in a Federal, State, or local court of a felony;

(5) the House of Representatives, by resolution, authorizes or directs the Committee to undertake an inquiry or investigation; or

(6) a referral from the Board is transmitted to the Committee.

(b) The Committee also has investigatory authority over:

(1) certain unauthorized disclosures of intelligence-related information, pursuant to House Rule X, clauses 11(g)(4) and (g)(5); or

(2) reports received from the Office of the Inspector General pursuant to House Rule II, clause 6(c)(5).

RULE 15. COMPLAINTS

(a) A complaint submitted to the Committee shall be in writing, dated, and properly verified (a document will be considered properly verified where a notary executes it with the language, ''Signed and sworn to (or affirmed) before me on (date) by (the name of the person)'' setting forth in simple, concise, and direct statements—

(1) the name and legal address of the party filing the complaint (hereinafter referred to as the ''complainant'');

(2) the name and position or title of the respondent;

(3) the nature of the alleged violation of the Code of Official Conduct or of other law, rule, regulation, or other standard of conduct applicable to the performance of duties or discharge of responsibilities; and

(4) the facts alleged to give rise to the violation. The complaint shall not contain innuendo, speculative assertions, or conclusory statements.

(b) Any documents in the possession of the complainant that relate to the allegations may be submitted with the complaint.

(c) Information offered as a complaint by a Member of the House of Representatives may be transmitted directly to the Committee.

(d) Information offered as a complaint by an individual not a Member of the House may be transmitted to the Committee, provided that a Member of the House certifies in writing that such Member believes the information is submitted in good faith and warrants the review and consideration of the Committee.

(e) A complaint must be accompanied by a certification, which may be unsworn, that the complainant has provided an exact copy of the filed complaint and all attachments to the respondent.

(f) The Committee may defer action on a complaint against a Member, officer, or employee of the House of Representatives when the complaint alleges conduct that the Committee has reason to believe is being reviewed by appropriate law enforcement or regulatory authorities, or when the Committee determines that it is appropriate for the conduct alleged in the complaint to be reviewed initially by law enforcement or regulatory authorities.

(g) A complaint may not be amended without leave of the Committee. Otherwise, any new allegations of improper conduct must be submitted in a new complaint that independently meets the procedural requirements of the Rules of the House of Representatives and the Committee's Rules.

(h) The Committee shall not accept, and shall return to the complainant, any complaint submitted within the 60 days prior to an election in which the subject of the complaint is a candidate.

(i) The Committee shall not consider a complaint, nor shall any investigation be undertaken by the Committee, of any alleged violation which occurred before the third previous Congress unless the Committee determines that the alleged violation is directly related to an alleged violation which occurred in a more recent Congress.

RULE 16. DUTIES OF COMMITTEE CHAIR AND RANKING MINORITY MEMBER

(a) Whenever information offered as a complaint is submitted to the Committee, the Chair and Ranking Minority Member shall have 14 calendar days or 5 legislative days, whichever occurs first, to determine whether the information meets the requirements of the Committee's rules for what constitutes a complaint.

(b) Whenever the Chair and Ranking Minority Member jointly determine that information submitted to the Committee meets the requirements of the Committee's rules for what constitutes a complaint, they shall have 45 calendar days or 5 legislative days, whichever is later, after the date that the Chair and Ranking Minority Member determine that information filed meets the requirements of the Committee's rules for what constitutes a complaint, unless the Committee by an affirmative vote of a majority of its members votes otherwise, to—

(1) recommend to the Committee that it dispose of the complaint, or any portion thereof, in any manner that does not require action by the House, which may include dismissal of the complaint or resolution of the complaint by a letter to the Member, officer, or employee of the House against whom the complaint is made;

(2) establish an investigative subcommittee; or

(3) request that the Committee extend the applicable 45-calendar day period when they determine more time is necessary in order to make a recommendation under paragraph (1) or (2) of Rule 16(b).

(c) The Chair and Ranking Minority Member may jointly gather additional information concerning alleged conduct which is the basis of a complaint or of information offered as a complaint until they have established an investigative subcommittee or the Chair or Ranking Minority Member has placed on the agenda the issue of whether to establish an investigative subcommittee.

(d) If the Chair and Ranking Minority Member jointly determine that information submitted to the Committee meets the requirements of the Committee rules for what constitutes a complaint, and the complaint is not disposed of within 45 calendar days or 5 legislative days, whichever is later, and no additional 45-day extension is made, then they shall establish an investigative subcommittee and forward the complaint, or any portion thereof, to that subcommittee for its consideration. If at any time during the time period either the Chair or Ranking Minority Member places on the agenda the issue of whether to establish an investigative subcommittee, then an investigative subcommittee may be established only by an affirmative vote of a majority of the members of the Committee.

(e) Whenever the Chair and Ranking Minority Member jointly determine that information submitted to the Committee does not meet the requirements for what constitutes a complaint set forth in the Committee rules, they may (1) return the information to the complainant with a statement that it fails to meet the requirements for what constitutes a complaint set forth in the Committee's rules; or (2) recommend to the Committee that it authorize the establishment of an investigative subcommittee.

RULE 17. PROCESSING OF COMPLAINTS

(a) If a complaint is in compliance with House and Committee Rules, a copy of the complaint and the Committee Rules shall be forwarded to the respondent within 5 days with notice that the complaint conforms to the applicable rules.

(b) The respondent may, within 30 days of the Committee's notification, provide to the Committee any information relevant to a complaint filed with the Committee. The respondent may submit a written statement in response to the complaint. Such a statement shall be signed by the respondent. If the statement is prepared by counsel for the respondent, the respondent shall sign a representation that the respondent has reviewed the response and agrees with the factual assertions contained therein.

(c) The Committee staff may request information from the respondent or obtain additional information relevant to the case from

other sources prior to the establishment of an investigative subcommittee only when so directed by the Chair and Ranking Minority Member.

(d) The respondent shall be notified in writing regarding the Committee's decision either to dismiss the complaint or to create an investigative subcommittee.

RULE 17A. REFERRALS FROM THE BOARD OF THE OFFICE OF CONGRESSIONAL ETHICS

(a) The Committee has exclusive jurisdiction over the interpretation, administration, and enforcement of the Code of Official Conduct pursuant to clause 1(g) of House Rule X. Receipt of referrals from the Board under this rule does not limit the Committee's discretion to address referrals in any way through the appropriate procedures authorized by Committee Rules. The Committee shall review the report and findings transmitted by the Board without prejudice or presumptions as to the merit of the allegations.

(b)(1) Whenever the Committee receives either (A) a referral containing a written report and any findings and supporting documentation from the Board; or (B) a referral from the Board pursuant to a request under Rule 17A(k), the Chair shall have 45 calendar days or 5 legislative days after the date the referral is received, whichever is later, to make public the report and findings of the Board unless the Chair and Ranking Minority Member jointly decide, or the Committee votes, to withhold such information for not more than one additional 45-day period.

(2) At least one calendar day before the Committee makes public any report and findings of the Board the Chair shall notify in writing the Board and the Member, officer, or employee who is the subject of the referral of the impending public release of these documents. At the same time, Chair shall transmit a copy of any public statement on the Committee's disposition of the matter and any accompanying Committee report to the individual who is the subject of the referral.

(3) All public statements and reports and findings of the Board that are required to be made public under this Rule shall be posted on the Committee's website.

(c) If the OCE report and findings are withheld for an additional 45–day period pursuant to paragraph (b)(1), Chair shall—

(1) make a public statement that the Committee has decided or voted to extend the matter referred from the Board on the day of such decision or vote; and

(2) make public the written report and findings pursuant to paragraph (b) upon the termination of such additional period.

(d) If the Board transmits a report with a recommendation to dismiss or noting a matter as unresolved due to a tie vote, and the Committee votes to extend the matter for an additional period as provided in paragraph (b), the Committee is not required to make a public statement that the Committee has voted to extend the matter pursuant to paragraph (b)(1).

(e) If the Committee votes to dismiss a matter referred from the Board, the Committee is not required to make public the written report and findings of the Board pursuant to paragraph (c) unless the Committee's vote is inconsistent with the recommendation of the Board. A vote by the Committee to dismiss a matter is not considered inconsistent with a report from the Board that the matter is unresolved by the Board due to a tie vote.

(f) Except as provided by paragraph (g):

(1) If the Committee establishes an investigative subcommittee respecting any matter referred by the Board, then the report and findings of the Board shall not be made public until the conclusion of the investigative subcommittee process pursuant to Rule 19. The Committee shall issue a public statement noting the establishment of an investigative subcommittee, which shall include the name of the Member, officer, or employee who is the subject of the inquiry, and shall set forth the alleged violation.

(2) If any such investigative subcommittee does not conclude its review within one year after the Board's referral, then the Committee shall make public the report of the Board no later than one year after the referral. If the investigative subcommittee does not conclude its review before the end of the Congress in which the report of the Board is made public, the Committee shall make public any findings of the Board on the last day of that Congress.

(g) If the vote of the Committee is a tie or the Committee fails to act by the close of any applicable period(s) under this rule, the report and the findings of the Board shall be made public by the Committee, along with a public statement by the Chair explaining the status of the matter.

(h)(1) If the Committee agrees to a request from an appropriate law enforcement or regulatory authority to defer taking action on a matter referred by the Board under paragraph (b)—

(A) The Committee is not required to make public the written report and findings of the Board pursuant to paragraph (c), except that if the recommendation of the Board is that the matter requires further review, the Committee shall make public the written report of the Board but not the findings; and

(B) The Committee shall make a public statement that it is deferring taking action on the matter at the request of such law enforcement or regulatory authority within one day (excluding weekends and public holidays) of the day that the Committee agrees to the request.

(2) If the Committee has not acted on the matter within one year of the date the public statement described in paragraph (h)(1)(B) is released, the Committee shall make a public statement that it continues to defer taking action on the matter. The Committee shall make a new statement upon the expiration of each succeeding one-year period during which the Committee has not acted on the matter.

(i) The Committee shall not accept, and shall return to the Board, any referral from the Board within 60 days before a Federal, State, or local election in which the subject of the referral is a candidate.

(j) The Committee may postpone any reporting requirement under this rule that falls within that 60-day period until after the date of the election in which the subject of the referral is a candidate. For purposes of calculating any applicable period under this Rule, any days within the 60-day period before such an election shall not be counted.

(k)(1) At any time after the Committee receives written notification from the Board of the Office of Congressional Ethics that the Board is undertaking a review of alleged conduct of any Member, officer, or employee of the House at a time when the Committee is investigating, or has completed an investigation of the same matter, the Committee may so notify the Board in writing and request that the Board cease its review and refer the matter to the Committee for its consideration immediately. The Committee shall also notify the Board in writing if the Committee has not reached a final resolution of the matter or has not referred the matter to the appropriate Federal or State authorities by the end of any applicable time period specified in Rule 17A (including any permissible extension).

(2) The Committee may not request a second referral of the matter from the Board if the Committee has notified the Board that it is unable to resolve the matter previously requested pursuant to this section. The Board may subsequently send a referral regarding a matter previously requested and returned by the Committee after the conclusion of the Board's review process.

RULE 18. COMMITTEE-INITIATED INQUIRY OR INVESTIGATION

(a) Notwithstanding the absence of a filed complaint, the Committee may consider any information in its possession indicating that a Member, officer, or employee may have committed a violation of the Code of Official Conduct or any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of the duties or the discharge of the responsibilities of such individual. The Chair and Ranking Minority Member may jointly gather additional information concerning such an alleged violation by a Member, officer, or employee unless and until an investigative subcommittee has been established. The Chair and Ranking Minority Member may also jointly take appropriate action consistent with Committee Rules to resolve the matter.

(b) If the Committee votes to establish an investigative subcommittee, the Committee shall proceed in accordance with Rule 19.

(c) Any written request by a Member, officer, or employee of the House of Representatives that the Committee conduct an investigation into such person's own conduct shall be considered in accordance with subsection (a) of this Rule.

(d) An inquiry shall not be undertaken regarding any alleged violation that occurred before the third previous Congress unless a majority of the Committee determines that the alleged violation is directly related to an alleged violation that occurred in a more recent Congress.

(e)(1) An inquiry shall be undertaken by an investigative subcommittee with regard to any felony conviction of a Member, officer, or employee of the House of Representatives in a Federal, State, or local court who has been sentenced. Notwithstanding this provision, the Committee has the discretion to initiate an inquiry upon an affirmative vote of a majority of the members of the Committee at any time prior to conviction or sentencing.

(2) Not later than 30 days after a Member, officer or employee of the House is indicted or otherwise formally charged with criminal conduct in any Federal, State or local court, the Committee shall either initiate an inquiry upon a majority vote of the members of the Committee or submit a report to the House describing its reasons for not initiating an inquiry and describing the actions, if any, that the Committee has taken in response to the allegations.

RULE 19. INVESTIGATIVE SUBCOMMITTEE

(a)(1) Upon the establishment of an investigative subcommittee, the Chair and Ranking Minority Member of the Committee shall designate four members (with equal representation from the majority and minority parties) to serve as an investigative subcommittee to undertake an inquiry. Members of the Committee and Members of the House selected pursuant to clause 5(a)(4)(A) of Rule X of the House of Representatives are eligible for appointment to an investigative subcommittee, as determined by the Chair and Ranking Minority Member of the Committee. At the time of appointment, the Chair shall designate one member of the subcommittee to serve as the Chair and the Ranking Minority Member shall designate one member of the subcommittee to serve as the ranking minority member of the investigative subcommittee. The Chair and Ranking Minority Member of the Committee may

serve as members of an investigative subcommittee, but may not serve as non-voting, ex-officio members.

(2) The respondent shall be notified of the membership of the investigative subcommittee and shall have 10 days after such notice is transmitted to object to the participation of any subcommittee member. Such objection shall be in writing and must be on the grounds that the subcommittee member cannot render an impartial and unbiased decision. The subcommittee member against whom the objection is made shall be the sole judge of any disqualification and may choose to seek disqualification from participating in the inquiry pursuant to Rule 9(e).

(b) In an inquiry undertaken by an investigative subcommittee—

(1) All proceedings, including the taking of testimony, shall be conducted in executive session and all testimony taken by deposition or things produced pursuant to subpoena or otherwise shall be deemed to have been taken or produced in executive session.

(2) The Chair of the investigative subcommittee shall ask the respondent and all witnesses whether they intend to be represented by counsel. If so, the respondent or witnesses or their legal representatives shall provide written designation of counsel. A respondent or witness who is represented by counsel shall not be questioned in the absence of counsel unless an explicit waiver is obtained.

(3) The subcommittee shall provide the respondent an opportunity to present, orally or in writing, a statement, which must be under oath or affirmation, regarding the allegations and any other relevant questions arising out of the inquiry.

(4) The staff may interview witnesses, examine documents and other evidence, and request that submitted statements be under oath or affirmation and that documents be certified as to their authenticity and accuracy.

(5) The subcommittee, by a majority vote of its members, may require, by subpoena or otherwise, the attendance and testimony of witnesses and the production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary to the conduct of the inquiry. Unless the Committee otherwise provides, the subpoena power shall rest in the Chair and Ranking Minority Member of the Committee and a subpoena shall be issued upon the request of the investigative subcommittee.

(6) The subcommittee shall require that testimony be given under oath or affirmation. The form of the oath or affirmation shall be: ''Do you solemnly swear (or affirm) that the testimony you will give before this subcommittee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?'' The oath or affirmation shall be administered by the Chair or subcommittee member designated by the Chair to administer oaths.

(c) During the inquiry, the procedure respecting the admissibility of evidence and rulings shall be as follows:

(1) Any relevant evidence shall be admissible unless the evidence is privileged under the precedents of the House of Representatives.

(2) The Chair of the subcommittee or other presiding member at any investigative subcommittee proceeding shall rule upon any question of admissibility or relevance of evidence, motion, procedure or any other matter, and may direct any witness to answer any question under penalty of contempt. A witness, witness counsel, or a member of the subcommittee may appeal any rulings to the members present at that proceeding. A majority vote of the members present at such proceeding on such appeal shall govern the question of admissibility, and no appeal shall lie to the Committee.

(3) Whenever a person is determined by a majority vote to be in contempt of the subcommittee, the matter may be referred to the Committee to determine whether to refer the matter to the House of Representatives for consideration.

(4) Committee counsel may, subject to subcommittee approval, enter into stipulations with the respondent and/or the respondent's counsel as to facts that are not in dispute.

(d) Upon an affirmative vote of a majority of the subcommittee members, and an affirmative vote of a majority of the full Committee, an investigative subcommittee may expand the scope of its inquiry.

(e) Upon completion of the inquiry, the staff shall draft for the investigative subcommittee a report that shall contain a comprehensive summary of the information received regarding the alleged violations.

(f) Upon completion of the inquiry, an investigative subcommittee, by a majority vote of its members, may adopt a Statement of Alleged Violation if it determines that there is substantial reason to believe that a violation of the Code of Official Conduct, or of a law, rule, regulation, or other standard of conduct applicable to the performance of official duties or the discharge of official responsibilities by a Member, officer, or employee of the House of Representatives has occurred. If more than one violation is alleged, such Statement shall be divided into separate counts. Each count shall relate to a separate violation, shall contain a plain and concise statement of the alleged facts of such violation, and shall include a reference to the provision of the Code of Official Conduct or law, rule, regulation or other applicable standard of conduct governing the performance of duties or discharge of responsibilities alleged to have been violated. A copy of such Statement shall be transmitted to the respondent and the respondent's counsel.

(g) If the investigative subcommittee does not adopt a Statement of Alleged Violation, it shall transmit to the Committee a report containing a summary of the information received in the inquiry, its conclusions and reasons therefore, and any appropriate recommendation.

RULE 20. AMENDMENTS TO STATEMENTS OF ALLEGED VIOLATION

(a) An investigative subcommittee may, upon an affirmative vote of a majority of its members, amend its Statement of Alleged Violation anytime before the Statement of Alleged Violation is transmitted to the Committee; and

(b) If an investigative subcommittee amends its Statement of Alleged Violation, the respondent shall be notified in writing and shall have 30 calendar days from the date of that notification to file an answer to the amended Statement of Alleged Violation.

RULE 21. COMMITTEE REPORTING REQUIREMENTS

(a) Whenever an investigative subcommittee does not adopt a Statement of Alleged Violation and transmits a report to that effect to the Committee, the Committee may by an affirmative vote of a majority of its members transmit such report to the House of Representatives;

(b) Whenever an investigative subcommittee adopts a Statement of Alleged Violation but recommends that no further action be taken, it shall transmit a report to the Committee regarding the Statement of Alleged Violation; and

(c) Whenever an investigative subcommittee adopts a Statement of Alleged Violation, the respondent admits to the violations set forth in such Statement, the respondent waives the right to an adjudicatory hearing, and the respondent's waiver is approved by the Committee—

(1) the subcommittee shall prepare a report for transmittal to the Committee, a final draft of which shall be provided to the respondent not less than 15 calendar days before the subcommittee votes on whether to adopt the report;

(2) the respondent may submit views in writing regarding the final draft to the subcommittee within 7 calendar days of receipt of that draft;

(3) the subcommittee shall transmit a report to the Committee regarding the Statement of Alleged Violation together with any views submitted by the respondent pursuant to subparagraph (2), and the Committee shall make the report, together with the respondent's views, available to the public before the commencement of any sanction hearing; and

(4) the Committee shall by an affirmative vote of a majority of its members issue a report and transmit such report to the House of Representatives, together with the respondent's views previously submitted pursuant to subparagraph (2) and any additional views respondent may submit for attachment to the final report; and

(d) Members of the Committee shall have not less than 72 hours to review any report transmitted to the Committee by an investigative subcommittee before both the commencement of a sanction hearing and the Committee vote on whether to adopt the report.

RULE 22. RESPONDENT'S ANSWER

(a)(1) Within 30 days from the date of transmittal of a Statement of Alleged Violation, the respondent shall file with the investigative subcommittee an answer, in writing and under oath, signed by respondent and respondent's counsel. Failure to file an answer within the time prescribed shall be considered by the Committee as a denial of each count.

(2) The answer shall contain an admission to or denial of each count set forth in the Statement of Alleged Violation and may include negative, affirmative, or alternative defenses and any supporting evidence or other relevant information.

(b) The respondent may file a Motion for a Bill of Particulars within 10 days of the date of transmittal of the Statement of Alleged Violation. If a Motion for a Bill of Particulars is filed, the respondent shall not be required to file an answer until 20 days after the subcommittee has replied to such motion.

(c)(1) The respondent may file a Motion to Dismiss within 10 days of the date of transmittal of the Statement of Alleged Violation or, if a Motion for a Bill of Particulars has been filed, within 10 days of the date of the subcommittee's reply to the Motion for a Bill of Particulars. If a Motion to Dismiss is filed, the respondent shall not be required to file an answer until 20 days after the subcommittee has replied to the Motion to Dismiss, unless the respondent previously filed a Motion for a Bill of Particulars, in which case the respondent shall not be required to file an answer until 10 days after the subcommittee has replied to the Motion to Dismiss. The investigative subcommittee shall rule upon any motion to dismiss filed during the period between the establishment of the subcommittee and the subcommittee's transmittal of a report or Statement of Alleged Violation to the Committee or to the Chair and Ranking Minority Member at the conclusion of an inquiry, and no appeal of the subcommittee's ruling shall lie to the Committee.

(2) A Motion to Dismiss may be made on the grounds that the Statement of Alleged Violation fails to state facts that constitute a violation of the Code of Official Conduct or other applicable law, rule, regulation, or standard of conduct, or on the grounds that the Committee lacks jurisdiction to consider the allegations contained in the Statement.

(d) Any motion filed with the subcommittee pursuant to this rule shall be accompanied by a Memorandum of Points and Authorities.

(e)(1) The Chair of the investigative subcommittee, for good cause shown, may permit the respondent to file an answer or motion after the day prescribed above.

(2) If the ability of the respondent to present an adequate defense is not adversely affected and special circumstances so require, the Chair of the investigative subcommittee may direct the respondent to file an answer or motion prior to the day prescribed above.

(f) If the day on which any answer, motion, reply, or other pleading must be filed falls on a Saturday, Sunday, or holiday, such filing shall be made on the first business day thereafter.

(g) As soon as practicable after an answer has been filed or the time for such filing has expired, the Statement of Alleged Violation and any answer, motion, reply, or other pleading connected therewith shall be transmitted by the Chair of the investigative subcommittee to the Chair and Ranking Minority Member of the Committee.

RULE 23. ADJUDICATORY HEARINGS

(a) If a Statement of Alleged Violation is transmitted to the Chair and Ranking Minority Member pursuant to Rule 22, and no waiver pursuant to Rule 26(b) has occurred, the Chair shall designate the members of the Committee who did not serve on the investigative subcommittee to serve on an adjudicatory subcommittee. The Chair and Ranking Minority Member of the Committee shall be the Chair and Ranking Minority Member of the adjudicatory subcommittee unless they served on the investigative subcommittee. The respondent shall be notified of the designation of the adjudicatory subcommittee and shall have 10 days after such notice is transmitted to object to the participation of any subcommittee member. Such objection shall be in writing and shall be on the grounds that the member cannot render an impartial and unbiased decision. The member against whom the objection is made shall be the sole judge of any disqualification and may choose to seek disqualification from serving on the subcommittee pursuant to Rule 9(e).

(b) A majority of the adjudicatory subcommittee membership plus one must be present at all times for the conduct of any business pursuant to this rule.

(c) The adjudicatory subcommittee shall hold a hearing to determine whether any counts in the Statement of Alleged Violation have been proved by clear and convincing evidence and shall make findings of fact, except where such violations have been admitted by respondent.

(d) At an adjudicatory hearing, the subcommittee may require, by subpoena or otherwise, the attendance and testimony of such witnesses and production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary. Depositions, interrogatories, and sworn statements taken under any investigative subcommittee direction may be accepted into the hearing record.

(e) The procedures set forth in clause 2(g) and (k) of Rule XI of the Rules of the House of Representatives shall apply to adjudicatory hearings. All such hearings shall be open to the public unless the adjudicatory subcommittee, pursuant to such clause, determines that the hearings or any part thereof should be closed.

(f)(1) The adjudicatory subcommittee shall, in writing, notify the respondent that the respondent and respondent's counsel have the right to inspect, review, copy, or photograph books, papers, documents, photographs, or other tangible objects that the adjudicatory subcommittee counsel intends to use as evidence against the respondent in an adjudicatory hearing. The respondent shall be given access to such evidence, and shall be provided the names of witnesses the subcommittee counsel intends to call, and a summary of their expected testimony, no less than 15 calendar days prior to any such hearing. Except in extraordinary circumstances, no evidence may be introduced or witness called in an adjudicatory hearing unless the respondent has been afforded a prior opportunity to review such evidence or has been provided the name of the witness.

(2) After a witness has testified on direct examination at an adjudicatory hearing, the Committee, at the request of the respondent, shall make available to the respondent any statement of the witness in the possession of the Committee which relates to the subject matter as to which the witness has testified.

(3) Any other testimony, statement, or documentary evidence in the possession of the Committee which is material to the respondent's defense shall, upon request, be made available to the respondent.

(g) No less than 5 days prior to the hearing, the respondent or counsel shall provide the adjudicatory subcommittee with the names of witnesses expected to be called, summaries of their expected testimony, and copies of any documents or other evidence proposed to be introduced.

(h) The respondent or counsel may apply to the subcommittee for the issuance of subpoenas for the appearance of witnesses or the production of evidence. The application shall be granted upon a showing by the respondent that the proposed testimony or evidence is relevant and not otherwise available to respondent. The application may be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

(i) During the hearing, the procedures regarding the admissibility of evidence and rulings shall be as follows:

(1) Any relevant evidence shall be admissible unless the evidence is privileged under the precedents of the House of Representatives.

(2) The Chair of the subcommittee or other presiding member at an adjudicatory subcommittee hearing shall rule upon any question of admissibility or relevance of evidence, motion, procedure, or any other matter, and may direct any witness to answer any question under penalty of contempt. A witness, witness counsel, or a member of the subcommittee may appeal any ruling to the members present at that proceeding. A majority vote of the members present at such proceeding on such an appeal shall govern the question of admissibility and no appeal shall lie to the Committee.

(3) Whenever a witness is deemed by a Chair or other presiding member to be in contempt of the subcommittee, the matter may be referred to the Committee to determine whether to refer the matter to the House of Representatives for consideration.

(4) Committee counsel may, subject to subcommittee approval, enter into stipulations with the respondent and/or the respondent's counsel as to facts that are not in dispute.

(j) Unless otherwise provided, the order of an adjudicatory hearing shall be as follows:

(1) The Chair of the subcommittee shall open the hearing by stating the adjudicatory subcommittee's authority to conduct the hearing and the purpose of the hearing.

(2) The Chair shall then recognize Committee counsel and the respondent's counsel, in turn, for the purpose of giving opening statements.

(3) Testimony from witnesses and other relevant evidence shall be received in the following order whenever possible:

(i) witnesses (deposition transcripts and affidavits obtained during the inquiry may be used in lieu of live witnesses if the witness is unavailable) and other evidence offered by the Committee counsel,

(ii) witnesses and other evidence offered by the respondent,

(iii) rebuttal witnesses, as permitted by the Chair.

(4) Witnesses at a hearing shall be examined first by counsel calling such witness. The opposing counsel may then cross-examine the witness. Redirect examination and recross examination by counsel may be permitted at the Chair's discretion. Subcommittee members may then question witnesses. Unless otherwise directed by the Chair, questions by Subcommittee members shall be conducted under the five-minute rule.

(5) The Chair shall then recognize Committee counsel and respondent's counsel, in turn, for the purpose of giving closing arguments. Committee counsel may reserve time for rebuttal argument, as permitted by the Chair.

(k) A subpoena to a witness to appear at a hearing shall be served sufficiently in advance of that witness' scheduled appearance to allow the witness a reasonable period of time, as determined by the Chair of the adjudicatory subcommittee, to prepare for the hearing and to employ counsel.

(1) Each witness appearing before the subcommittee shall be furnished a printed copy of the Committee rules, the relevant provisions of the Rules of the House of Representatives applicable to the rights of witnesses, and a copy of the Statement of Alleged Violation.

(m) Testimony of all witnesses shall be taken under oath or affirmation. The form of the oath or affirmation shall be: ''Do you solemnly swear (or affirm) that the testimony you will give before this subcommittee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?'' The oath or affirmation shall be administered by the Chair or Committee member designated by the Chair to administer oaths.

(n) At an adjudicatory hearing, the burden of proof rests on Committee counsel to establish the facts alleged in the Statement of Alleged Violation by clear and convincing evidence. However, Committee counsel need not present any evidence regarding any count that is admitted by the respondent or any fact stipulated.

(o) As soon as practicable after all testimony and evidence have been presented, the subcommittee shall consider each count contained in the Statement of Alleged Violation and shall determine by a majority vote of its members whether each count has been proved. If a majority of the subcommittee does not vote that a count has been proved, a motion to reconsider that vote may be made only by a member who voted that the count was not proved. A count that is not proved shall be considered as dismissed by the subcommittee.

(p) The findings of the adjudicatory subcommittee shall be reported to the Committee.

RULE 24. SANCTION HEARING AND CONSIDERATION OF SANCTIONS OR OTHER RECOMMENDATIONS

(a) If no count in a Statement of Alleged Violation is proved, the Committee shall

prepare a report to the House of Representatives, based upon the report of the adjudicatory subcommittee.

(b) If an adjudicatory subcommittee completes an adjudicatory hearing pursuant to Rule 23 and reports that any count of the Statement of Alleged Violation has been proved, a hearing before the Committee shall be held to receive oral and/or written submissions by counsel for the Committee and counsel for the respondent as to the sanction the Committee should recommend to the House of Representatives with respect to such violations. Testimony by witnesses shall not be heard except by written request and vote of a majority of the Committee.

(c) Upon completion of any proceeding held pursuant to clause (b), the Committee shall consider and vote on a motion to recommend to the House of Representatives that the House take disciplinary action. If a majority of the Committee does not vote in favor of the recommendation that the House of Representatives take action, a motion to reconsider that vote may be made only by a member who voted against the recommendation. The Committee may also, by majority vote, adopt a motion to issue a Letter of Reproval or take other appropriate Committee action.

(d) If the Committee determines a Letter of Reproval constitutes sufficient action, the Committee shall include any such letter as a part of its report to the House of Representatives.

(e) With respect to any proved counts against a Member of the House of Representatives, the Committee may recommend to the House one or more of the following sanctions:

(1) Expulsion from the House of Representatives.

(2) Censure.

(3) Reprimand.

(4) Fine.

(5) Denial or limitation of any right, power, privilege, or immunity of the Member if under the Constitution the House of Representatives may impose such denial or limitation.

(6) Any other sanction determined by the Committee to be appropriate.

(f) With respect to any proved counts against an officer or employee of the House of Representatives, the Committee may recommend to the House one or more of the following sanctions:

(1) Dismissal from employment.

(2) Reprimand.

(3) Fine.

(4) Any other sanction determined by the Committee to be appropriate.

(g) With respect to the sanctions that the Committee may recommend, reprimand is appropriate for serious violations, censure is appropriate for more serious violations, and expulsion of a Member or dismissal of an officer or employee is appropriate for the most serious violations. A recommendation of a fine is appropriate in a case in which it is likely that the violation was committed to secure a personal financial benefit; and a recommendation of a denial or limitation of a right, power, privilege, or immunity of a Member is appropriate when the violation bears upon the exercise or holding of such right, power, privilege, or immunity. This clause sets forth general guidelines and does not limit the authority of the Committee to recommend other sanctions.

(h) The Committee report shall contain an appropriate statement of the evidence supporting the Committee's findings and a statement of the Committee's reasons for the recommended sanction.

RULE 25. DISCLOSURE OF EXCULPATORY INFORMATION TO RESPONDENT

If the Committee, or any investigative or adjudicatory subcommittee at any time receives any exculpatory information respecting a Complaint or Statement of Alleged Violation concerning a Member, officer, or employee of the House of Representatives, it shall make such information known and available to the Member, officer, or employee as soon as practicable, but in no event later than the transmittal of evidence supporting a proposed Statement of Alleged Violation pursuant to Rule 26(c). If an investigative subcommittee does not adopt a Statement of Alleged Violation, it shall identify any exculpatory information in its possession at the conclusion of its inquiry and shall include such information, if any, in the subcommittee's final report to the Committee regarding its inquiry. For purposes of this rule, exculpatory evidence shall be any evidence or information that is substantially favorable to the respondent with respect to the allegations or charges before an investigative or adjudicatory subcommittee.

RULE 26. RIGHTS OF RESPONDENTS AND WITNESSES

(a) A respondent shall be informed of the right to be represented by counsel, to be provided at the respondent's own expense.

(b) A respondent may seek to waive any procedural rights or steps in the disciplinary process. A request for waiver must be in writing, signed by the respondent, and must detail what procedural steps the respondent seeks to waive. Any such request shall be subject to the acceptance of the Committee or subcommittee, as appropriate.

(c) Not less than 10 calendar days before a scheduled vote by an investigative subcommittee on a Statement of Alleged Violation, the subcommittee shall provide the respondent with a copy of the Statement of Alleged Violation it intends to adopt together with all evidence it intends to use to prove those charges which it intends to adopt, including documentary evidence, witness testimony, memoranda of witness interviews, and physical evidence, unless the subcommittee by an affirmative vote of a majority of its members decides to withhold certain evidence in order to protect a witness, but if such evidence is withheld, the subcommittee shall inform the respondent that evidence is being withheld and of the count to which such evidence relates.

(d) Neither the respondent nor respondent's counsel shall, directly or indirectly, contact the subcommittee or any member thereof during the period of time set forth in paragraph (c) except for the sole purpose of settlement discussions where counsels for the respondent and the subcommittee are present.

(e) If, at any time after the issuance of a Statement of Alleged Violation, the Committee or any subcommittee thereof determines that it intends to use evidence not provided to a respondent under paragraph (c) to prove the charges contained in the Statement of Alleged Violation (or any amendment thereof), such evidence shall be made immediately available to the respondent, and it may be used in any further proceeding under the Committee's rules.

(f) Evidence provided pursuant to paragraph (c) or (e) shall be made available to the respondent and respondent's counsel only after each agrees, in writing, that no document, information, or other materials obtained pursuant to that paragraph shall be made public until—

(1) such time as a Statement of Alleged Violation is made public by the Committee if the respondent has waived the adjudicatory hearing; or

(2) the commencement of an adjudicatory hearing if the respondent has not waived an adjudicatory hearing; but the failure of respondent and respondent's counsel to so agree in writing, and therefore not receive the evidence, shall not preclude the issuance of a Statement of Alleged Violation at the end of the period referenced to in (c).

(g) A respondent shall receive written notice whenever—

(1) the Chair and Ranking Minority Member determine that information the Committee has received constitutes a complaint;

(2) a complaint or allegation is transmitted to an investigative subcommittee;

(3) that subcommittee votes to authorize its first subpoena or to take testimony under oath, whichever occurs first; and

(4) the Committee votes to expand the scope of the inquiry of an investigative subcommittee.

(h) Whenever an investigative subcommittee adopts a Statement of Alleged Violation and a respondent enters into an agreement with that subcommittee to settle a complaint on which the Statement is based, that agreement, unless the respondent requests otherwise, shall be in writing and signed by the respondent and the respondent's counsel, the Chair and Ranking Minority Member of the subcommittee, and outside counsel, if any.

(i) Statements or information derived solely from a respondent or respondent's counsel during any settlement discussions between the Committee or a subcommittee thereof and the respondent shall not be included in any report of the subcommittee or the Committee or otherwise publicly disclosed without the consent of the respondent.

(j) Whenever a motion to establish an investigative subcommittee does not prevail, the Committee shall promptly send a letter to the respondent informing the respondent of such vote.

(k) Witnesses shall be afforded a reasonable period of time, as determined by the Committee or subcommittee, to prepare for an appearance before an investigative subcommittee or for an adjudicatory hearing and to obtain counsel.

(l) Prior to their testimony, witnesses shall be furnished a printed copy of the Committee's Rules of Procedure and the provisions of the Rules of the House of Representatives applicable to the rights of witnesses.

(m) Witnesses may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights. The Chair may punish breaches of order and decorum, and of professional responsibility on the part of counsel, by censure and exclusion from the hearings; and the Committee may cite the offender to the House of Representatives for contempt.

(n) Each witness subpoenaed to provide testimony or other evidence shall be provided the same per diem rate as established, authorized, and regulated by the Committee on House Administration for Members, officers and employees of the House, and, as the Chair considers appropriate, actual expenses of travel to or from the place of examination. No compensation shall be authorized for attorney's fees or for a witness' lost earnings. Such per diem may not be paid if a witness had been summoned at the place of examination.

(o) With the approval of the Committee, a witness, upon request, may be provided with a transcript of the witness' own deposition or other testimony taken in executive session, or, with the approval of the Chair and Ranking Minority Member, may be permitted to examine such transcript in the office of the Committee. Any such request shall be in writing and shall include a statement that the witness, and counsel, agree to maintain the confidentiality of all executive session proceedings covered by such transcript.

RULE 27. FRIVOLOUS FILINGS

If a complaint or information offered as a complaint is deemed frivolous by an affirmative vote of a majority of the members of the Committee, the Committee may take such action as it, by an affirmative vote of a majority deems appropriate in the circumstances.

RULE 28. REFERRALS TO FEDERAL OR STATE AUTHORITIES

Referrals made under clause 3(a)(3) of Rule XI of the Rules of the House of Representatives may be made by an affirmative vote of two-thirds of the members of the Committee.

ADJOURNMENT

Mr. CHAFFETZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 13 minutes a.m.), under its previous order, the House adjourned until today, Wednesday, February 16, 2011, 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:

479. A letter from the Director, Human Capital and Resource Management, Department of Defense, transmitting a letter providing notification that the Department intends to approve the following additions to the current limitations on purchase quantities of specific merchandise items; to the Committee on Armed Services.

480. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2010-0003] [Internal Agency Docket No.: FEMA-B-1162] received January 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

481. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2010-0003] [Internal Agency Docket No.: FEMA-B-1156] received January 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

482. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2010-0003] [Internal Agency Docket No.: FEMA-B-1135] received January 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

483. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2010-0003] [Internal Agency Docket No.: FEMA-B-1157] received January 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

484. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2010-0003] [Internal Agency Docket No.: FEMA-B-1150] received January 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

485. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2010-0003] [Internal Agency Docket No.: FEMA-B-1146] received January 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

486. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2010-0003] received January 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

487. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2010-0003] received January 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

488. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2010-0003] received January 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

489. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's fiscal year 2010 Performance Report for the Animal Drug User Fee Act; to the Committee on Energy and Commerce.

490. A letter from the Secretary, Department of Health and Human Services, transmitting fiscal year 2010 Performance Report to Congress for the Animal Generic Drug User Fee Act; to the Committee on Energy and Commerce.

491. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's Alternative Fuel Vehicle program report for FY 2010; to the Committee on Energy and Commerce.

492. A letter from the Director, Defense Security Cooperation Agency, transmitting the Agency's reports containing the September 30, 2010 status of loans and guarantees issued under the Arms Export Control Act; to the Committee on Foreign Affairs.

493. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of a proposed lease with the Government of France (Transmittal No. 09-10) pursuant to Section 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

494. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

495. A letter from the Deputy Secretaries, Department of the Interior and the Department of State, transmitting draft legislation to amend Title I of Pub. L. 99-658, 100 Stat. 3672; to the Committee on Foreign Affairs.

496. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Lebanon that was declared in Executive Order 13441 of August 1, 2007; to the Committee on Foreign Affairs.

497. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to persons undermining democratic processes or institutions in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003; to the Committee on Foreign Affairs.

498. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

499. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the South Atlantic States; Emergency Rule To Delay Effectiveness of the Snapper-Grouper Area Closure; Correction [Docket No.: 101124587-0586-01] (RIN: 0648-BA47) received January 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

500. 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 (RIN: 0648-XA017) received January 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

501. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Surfclam and Ocean Quahog Fishery; Proposed 2011-2013 Fishing Quotas for Atlantic Surfclam and Ocean Quahog [Docket No.: 101013504-0504-02] (RIN: 0648-XY27) received January 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

502. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fraser River Sockeye Salmon Fisheries; Inseason Orders (RIN: 0648-XZ20) received January 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

503. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Shipping Act, Merchant Marine, and Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) Provisions; Fishing Vessel, Fishing Facility and Individual Fishing Quota Lending Program [Docket No.: 0908061221-0533-02] (RIN: 0648-AY16) received January 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

504. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Final Rule to Implement Addenda to 17 Fishing Year (FY) 2010 Sector Operations Plans and Contracts [Docket No.: 100818375-0600-02] (RIN: 0648-XX84) received January 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

505. A letter from the Assistant Attorney General, Department of Justice, transmitting the semi-annual report of the Attorney General concerning enforcement actions taken by the Department under the Lobbying Disclosure Act, Public Law 104-65, as amended by Public Law 110-81, codified at 2

U.S.C. Sec. 1605(b)(1) for the semi-annual period beginning on July 1, 2009, pursuant to 2 U.S.C. section 1605(b)(1); to the Committee on the Judiciary.

506. A letter from the President and Chief Executive Officer, Little League International, transmitting the Annual Report of Little League Baseball, Incorporated for the fiscal year ending September 30, 2010, pursuant to 36 U.S.C. 1084(b); to the Committee on the Judiciary.

507. A letter from the Assistant U.S. Trade Representative for WTO and Multilateral Affairs, Office of the United States Trade Representative, transmitting the Administration's Annual Report on Subsidies Enforcement, pursuant to the Statement of Administrative Action of the Uruguay Round Agreements Act; to the Committee on Ways and Means.

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. DREIER: Committee on Rules. House Resolution 93. A resolution providing for consideration of the Senate amendment to the bill (H.R. 514) to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and Intelligence Reform and Terrorism Prevention Act of 2004 relating to access to business records, individual terrorists as agents of foreign powers, and roving wiretaps until December 8, 2011 (Rept. 112–14). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ROE of Tennessee:

H.R. 702. A bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to require States to delay certifying the results of regularly scheduled general elections for Federal office in order to ensure the counting of any marked absentee ballots of absent overseas uniformed services voters that are collected by the Presidential designee under such Act for delivery to State election officials; to the Committee on House Administration.

By Mr. KING of New York (for himself, Mr. ROGERS of Alabama, Mr. MCCAUL, Mr. BROUN of Georgia, Mrs. MILLER of Michigan, Mr. WALBERG, Mr. WALSH of Illinois, Mr. MEEHAN, Mr. LONG, and Mr. LATHAM):

H.R. 703. A bill to amend section 798 of title 18, United States Code, to provide penalties for disclosure of classified information related to certain intelligence activities of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. GOODLATTE (for himself, Mr. DEFAZIO, Mr. SMITH of Texas, Mr. SHERMAN, Mr. WOLF, Mr. COFFMAN of Colorado, Mr. CONAWAY, Mr. MARCHANT, Mrs. MYRICK, Mr. GALLEGLY, Mr. KING of Iowa, Mr. WEST, and Mr. BILBRAY):

H.R. 704. A bill to amend the Immigration and Nationality Act to eliminate the diversity immigrant program; to the Committee on the Judiciary.

By Mr. CAMP:

H.R. 705. A bill to amend the Internal Revenue Code of 1986 to repeal the expansion of information reporting requirements to payments made to corporations, payments for property and other gross proceeds, and rental property expense payments, and for other purposes; to the Committee on Ways and Means.

By Mr. ENGEL (for himself and Mr. BARTLETT):

H.R. 706. A bill to direct the Secretary of Energy to establish a pilot program to award grants and loan guarantees to hospitals to carry out projects for the purpose of reducing energy costs and increasing resilience to improve security; to the Committee on Energy and Commerce, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself, Mrs. SCHMIDT, and Mr. TERRY):

H.R. 707. A bill to prohibit the manufacture, marketing, sale, or shipment in interstate commerce of products designed to assist in defrauding a drug test; to the Committee on Energy and Commerce.

By Mr. SHUSTER (for himself and Mr. HOLDEN):

H.R. 708. A bill to amend title 23, United States Code, to establish standards limiting the amounts of arsenic and lead contained in glass beads used in pavement markings; to the Committee on Transportation and Infrastructure.

By Mr. SIRES (for himself, Ms. LEE of California, Mr. JOHNSON of Georgia, Mr. CONNOLLY of Virginia, Ms. FUDGE, Mr. TOWNS, Mr. NADLER, Mr. CARNAHAN, Mrs. MALONEY, Ms. RICHARDSON, Mr. ROTHMAN of New Jersey, Mr. JACKSON of Illinois, Mr. ELLISON, Mr. COHEN, Mr. ACKERMAN, Mr. HASTINGS of Florida, Ms. CLARKE of New York, Mr. ENGEL, Mr. RANGEL, Mr. SCHIFF, Mr. GONZALEZ, Mr. POLIS, Mr. MCNERNEY, Mr. WEINER, Mr. TURNER, Mrs. NAPOLITANO, Mr. SERRANO, Mr. FILNER, Mr. FALEOMAVAEGA, Mr. FATTAH, and Ms. BORDALLO):

H.R. 709. A bill to authorize the Secretary of Housing and Urban Development to establish and carry out an urban revitalization and livable communities program to provide Federal grants to urban areas for the rehabilitation of critically needed recreational areas and facilities and development of improved recreation programs, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WITTMAN:

H.R. 710. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for expenses incurred in teleworking; to the Committee on Ways and Means.

By Ms. HIRONO (for herself, Mr. ANDREWS, and Ms. MATSUI):

H.R. 711. A bill to amend the Workforce Investment Act of 1998 to provide for the establishment of Youth Corps programs and provide for wider dissemination of the Youth Corps model; to the Committee on Education and the Workforce.

By Mr. CAPUANO (for himself, Mrs. CHRISTENSEN, Mr. COHEN, Mr. DEFAZIO, Mr. JACKSON of Illinois, Mr. MCGOVERN, Ms. MOORE, Mr. NADLER, Ms. NORTON, Ms. RICHARDSON, Mr. SABLAN, Mr. SHULER, and Mr. COSTELLO):

H.R. 712. A bill to require air carriers to refund passenger baggage fees if such baggage is lost, delayed, or damaged, and require air carriers and ticket agents to include the actual cost of checked baggage when quoting an airfare; to the Committee on Transportation and Infrastructure.

By Mr. FILNER:

H.R. 713. A bill to amend the Immigration and Nationality Act to restore certain provisions relating to the definition of aggravated felony and other provisions as they were before the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to the Committee on the Judiciary.

By Mr. FILNER:

H.R. 714. A bill to amend the Immigration and Nationality Act to permit certain Mexican children, and accompanying adults, to obtain a waiver of the documentation requirements otherwise required to enter the United States as a temporary visitor; to the Committee on the Judiciary.

By Mr. FILNER:

H.R. 715. A bill to amend part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to authorize grant funds to be used for the Troops-to-Cops Program; to the Committee on the Judiciary.

By Mr. FILNER:

H.R. 716. A bill to amend the Federal Fire Prevention and Control Act of 1974 to authorize a fire station construction grant program for 5 years, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. FILNER:

H.R. 717. A bill to authorize Federal payment to first responders for costs associated with providing emergency services at the international borders of the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FILNER:

H.R. 718. A bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease; to the Committee on Ways and Means.

By Mr. FILNER:

H.R. 719. A bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLT (for himself and Mr. NADLER):

H.R. 720. A bill to establish the National Commission on the Anthrax Attacks Upon the United States to examine and report upon the facts and causes relating to the anthrax letter attacks of September and October 2001, and investigate and report to the President and Congress on its findings, conclusions, and recommendations for corrective measures that can be taken to prevent and respond to acts of bioterrorism; to the Committee on the Judiciary.

By Ms. JENKINS (for herself, Mr. BLUMENAUER, Mr. SHUSTER, and Mr. COSTELLO):

H.R. 721. A bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit; to the Committee on Ways and Means.

By Mr. NADLER:

H.R. 722. A bill to amend the Internal Revenue Code of 1986 to deny any deduction for direct-to-consumer advertisements of prescription drugs; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 723. A bill to deauthorize a portion of the project for navigation, Potomac River,

Washington Channel, District of Columbia, under the jurisdiction of the Corps of Engineers; to the Committee on Transportation and Infrastructure.

By Mr. ROTHMAN of New Jersey:

H.R. 724. A bill to amend the Internal Revenue Code of 1986 to extend the qualifying advanced energy project credit; to the Committee on Ways and Means.

By Mr. RYAN of Ohio:

H.R. 725. A bill to designate the facility of the United States Postal Service located at 4865 Tallmadge Road in Rootstown, Ohio, as the ''Marine Sgt. Jeremy E. Murray Post Office''; to the Committee on Oversight and Government Reform.

By Mr. SCHRADER (for himself, Mr. DEFAZIO, Mr. BLUMENAUER, and Mr. WU):

H.R. 726. A bill to amend the Grand Ronde Reservation Act to make technical corrections, and for other purposes; to the Committee on Natural Resources.

By Mr. SENSENBRENNER:

H.R. 727. A bill to amend title 28, United States Code, to provide an Inspector General for the judicial branch, and for other purposes; to the Committee on the Judiciary.

By Mr. STUTZMAN:

H.R. 728. A bill to require that the Government give priority to payment of all obligations on the debt held by the public, payment of Social Security benefits, and military funding in the event that the debt limit is reached; to the Committee on Ways and Means.

By Mr. THOMPSON of California (for himself, Mr. ACKERMAN, Mr. BLUMENAUER, Mr. DINGELL, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. FARR, Mr. GONZÁLEZ, Mr. HONDA, Ms. LEE of California, Ms. ZOE LOFGREN of California, Mr. MCINTYRE, Mr. GEORGE MILLER of California, Mr. MORAN, Mr. NADLER, Mr. ROSS of Arkansas, Mr. RUPPERSBERGER, Mr. SHERMAN, Mr. SHULER, Mr. TERRY, Mr. TIBERI, Mr. TOWNS, and Mr. WEINER):

H.R. 729. A bill to amend title 49, United States Code, to ensure air passengers have access to necessary services while on a grounded air carrier, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WOODALL:

H. Con. Res. 17. Concurrent resolution providing for an adjournment or recess of the two Houses; considered and agreed to. considered and agreed to.

By Mr. FILNER:

H. Con. Res. 18. Concurrent resolution urging the President to authorize the return to the people of the Philippines of two church bells that were taken by the United States Army in 1901 from the town of Balangiga on the island of Samar, Philippines, and are currently displayed at F.E. Warren Air Force Base, Wyoming; to the Committee on Foreign Affairs.

By Mr. FILNER:

H. Res. 94. A resolution calling for an end to the violence, unlawful arrests, torture, and ill treatment perpetrated against Iranian citizens, as well as the unconditional release of all political prisoners in Iran; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FILNER:

H.R. 730. A bill for the relief of Fernando Javier Cervantes; to the Committee on the Judiciary.

By Mr. FILNER:

H.R. 731. A bill for the relief of Aluisa Zace and Ledia Zace; to the Committee on the Judiciary.

By Mr. GONZÁLEZ:

H.R. 732. A bill for the relief of Benita Veliz-Castillo; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ROE of Tennessee:

H.R. 702.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 4, Clause 1 of the United States Constitution.

By Mr. KING of New York:

H.R. 703.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 8, Clause 18: The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the forgoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. GOODLATTE:

H.R. 704.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4, which states that Congress has the power to establish a uniform Rule of Naturalization.

By Mr. CAMP:

H.R. 705.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. ENGEL:

H.R. 706.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under the following provisions of the United States Constitution: Article I, Section 1; Article I, Section 8, Clause 3; and Article I, Section 8, Clause 18.

By Mr. ENGEL:

H.R. 707.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the Constitution.

By Mr. SHUSTER:

H.R. 708.

Congress has the power to enact this legislation pursuant to the following:

Clause 3, of Section 8, of Article I of the Constitution.

By Mr. SIRES:

H.R. 709.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution.

By Mr. WITTMAN:

H.R. 710.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and the Sixteenth Amendment.

By Ms. HIRONO:

H.R. 711.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .

By Mr. CAPUANO:

H.R. 712.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. FILNER:

H.R. 713.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (clauses 4 and 18), which grants Congress the power to establish a uniform Rule of Naturalization; and to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. FILNER:

H.R. 714.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (clauses 4 and 18), which grants Congress the power to establish a uniform Rule of Naturalization; and to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. FILNER:

H.R. 715.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (clauses 1 and 18), which grants Congress the power to provide for the common Defense and general Welfare of the United States; and to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. FILNER:

H.R. 716.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (clauses 1 and 18), which grants Congress the power to provide for the common Defence and general Welfare of the United States; and to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. FILNER:

H.R. 717.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (clauses 1 and 18), which grants Congress the power to provide for the common Defence and general Welfare of the United States; and to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. FILNER:

H.R. 718.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (clauses 1, 3, 14, and 18), which grant Congress the power to provide for the general welfare of the United States; to regulate Commerce among the several States; to make rules for the Government; and to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. FILNER:

H.R. 719.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper to execute these powers.

By Mr. HOLT:

H.R. 720.

Congress has the power to enact this legislation pursuant to the following:

Article I of the United States Constitution.

By Ms. JENKINS:

H.R. 721.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI to the United States Constitution.

Description: The first is ''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises . . .'' And; the second grants Congress the power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By Mr. NADLER:

H.R. 722.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 1, 3, and 18.

By Ms. NORTON:

H.R. 723.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: Clause 3 of Section 8 of Article I of the Constitution.

By Mr. ROTHMAN of New Jersey:

H.R. 724.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties, imposts and excises, to pay the debts and provide for the general welfare of the United States; as enumerated in Article I, Section 8.

By Mr. RYAN of Ohio:

H.R. 725.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section 8 of the U.S. Constitution: To establish Post Offices and post Roads;

By Mr. SCHRADER:

H.R. 726.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. SENSENBRENNER:

H.R. 727.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clause 18, and Article III, Section 1 of the United States Constitution.

By Mr. STUTZMAN:

H.R. 728.

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.

Article 1, Section 8, Clause 1 of the United States Constitution bestows upon Congress the authority ''to pay the Debts and provide for the common Defence and general Welfare of the United States.''

Congress is within its constitutionally prescribed role to direct payment of the nation's obligations. The ability to prioritize existing expenditures is subsumed under the authority to pay debts.

By Mr. THOMPSON of California:

H.R. 729.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. FILNER:

H.R. 730.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (clauses 4 and 18), which grants Congress the power to establish an uniform Rule of Naturalization and to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. FILNER:

H.R. 731.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (clauses 4 and 18), which grants Congress the power to establish an uniform Rule of Naturalization and to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. GONZALEZ:

H.R. 732.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3.

Article 1, Section 8, Clause 4.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 3: Mr. NUNES, Mr. JOHNSON of Ohio, Mr. LABRADOR, and Mr. WEST.

H.R. 4: Mr. COSTELLO.

H.R. 11: Mr. JACKSON of Illinois, Ms. ESHOO, and Mr. GARAMENDI.

H.R. 23: Mr. BISHOP of New York and Mr. WU.

H.R. 49: Mr. SCHOCK, Mr. BISHOP of Utah, Mr. BURTON of Indiana, and Mr. GRIFFITH of Virginia.

H.R. 59: Mr. COBLE and Mr. SAM JOHNSON of Texas.

H.R. 135: Ms. HIRONO.

H.R. 136: Mr. MURPHY of Connecticut.

H.R. 217: Mr. WILSON of South Carolina.

H.R. 302: Mr. SAM JOHNSON of Texas.

H.R. 303: Ms. NORTON.

H.R. 308: Mr. PRICE of North Carolina, Ms. FUDGE, Mr. STARK, and Mr. GARAMENDI.

H.R. 330: Ms. FUDGE.

H.R. 332: Mr. BLUMENAUER.

H.R. 358: Mr. CAMP, Mr. HUNTER, and Mr. PEARCE.

H.R. 371: Mr. CHAFFETZ and Mr. GRIFFIN of Arkansas.

H.R. 413: Mr. COHEN.

H.R. 423: Mr. DEUTCH.

H.R. 440: Mrs. ELLMERS, Mr. FALEOMAVAEGA, and Mr. LOBIONDO.

H.R. 456: Mr. JACKSON of Illinois, Mr. HINCHEY, Mr. FILNER, Mr. CARNAHAN, MR. KILDEE, and Mr. MCINTYRE.

H.R. 459: Mr. BARLETTA, Ms. GRANGER, Mr. MACK, and Mr. THORNBERRY.

H.R. 502: Mr. CARNAHAN, Mr. POLIS, Mr. HONDA, and Mr. MICHAUD.

H.R. 509: Mr. TERRY, Mr. HUELSKAMP, Mr. ALTMIRE, Mr. ALEXANDER, and Mr. COFFMAN of Colorado.

H.R. 517: Mr. DAVIS of Kentucky and Mr. REHBERG.

H.R. 523: Mr. GENE GREEN of Texas.

H.R. 548: Mr. CALVERT and Mr. GOWDY.

H.R. 572: Mr. FRANK of Massachusetts.

H.R. 591: Mr. PRICE of North Carolina.

H.R. 609: Mr. COFFMAN of Colorado, Mr. YOUNG of Indiana, Mr. CANSECO, and Mr. LONG.

H.R. 615: Mr. BOREN.

H.R. 620: Mrs. MYRICK, Mr. YOUNG of Florida, Mr. REICHERT, Mr. WALSH of Illinois, Mr. ROSS of Florida, Mr. KING of Iowa, Mr. SENSENBRENNER, and Mr. CONAWAY.

H.R. 639: Mr. ANDREWS, Mr. HARPER, Mr. LUETKEMEYER, Mr. MCINTYRE, Mr. RANGEL, Mr. FITZPATRICK, Mr. GERLACH, Mr. JACKSON of Illinois, Mr. ROGERS of Michigan, Mr. SARBANES, Mr. WALZ of Minnesota, and Mr. LYNCH.

H.R. 651: Mr. CONYERS, Mr. COHEN, Ms. SCHAKOWSKY, Mr. WELCH, and Mr. JACKSON of Illinois.

H.R. 657: Mr. KINGSTON, Mr. BISHOP of Utah, and Mr. GOSAR.

H.R. 674: Mr. DUNCAN of Tennessee.

H.R. 675: Mr. SAM JOHNSON of Texas and Mr. SCHOCK.

H.R. 676: Mr. KUCINICH.

H.R. 683: Mr. RICHMOND.

H.R. 688: Mr. CLAY.

H.J. Res. 23: Mr. CHAFFETZ.

H. Res. 15: Mr. GUINTA.

H. Res. 88: Mr. RYAN of Ohio, Ms. BORDALLO, Mr. PAYNE, Mr. CAPUANO, Mr. ELLISON, Ms. HANABUSA, Mr. GARAMENDI, Mr. TOWNS, Ms. ESHOO, Mr. FILNER, Ms. ZOE LOFGREN of California, Mr. MILLER of Florida, and Mr. OLVER.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1

OFFERED BY: MR. WALDEN

AMENDMENT NO. 404: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to implement the Report and Order of the Federal Communications Commission relating to the matter of preserving the open Internet and broadband industry practices (FCC 10–201, adopted by the Commission on December 21, 2010).

H.R. 1

OFFERED BY: MR. THOMPSON OF PENNSYLVANIA

AMENDMENT NO. 405: At the end of [the bill (before the short title)] [title ____ of division ____], insert the following:

SEC. ____. Section 3136(c)(1) of the Patient Protection and Affordable Care Act (42 U.S.C. 1395m note) is amended (1) by striking ''2011'' and inserting ''2012''; and (2) by inserting '', provided that payments otherwise

made for such standard power wheelchairs furnished in 2011 are subject to a 1 percent reduction in the covered item update otherwise made under Section 1834(a)(14) of the Social Security Act (42 U.S.C. 1395m(a)(14)'' after ''such date''.

H.R. 1

OFFERED BY: MR. WELCH

Amendment No. 406: Page 273, line 14, insert before the period at the end the following:

Provided further, That, of the funds made available by this section, $15,000,000 is for small and rural community technical and compliance assistance authorized under section 1442(e) of the Safe Drinking Water Act (42 U.S.C. 300j–1(e)). In providing such assistance, the Administrator of the Environmental Protection Agency shall give preference to nonprofit organizations that, as determined by the Administrator, are most qualified, experienced, effective, and supported by small community water systems in the States.

H.R. 1

OFFERED BY: MR. HALL

AMENDMENT NO. 407: Page 273, after line 3, insert the following new section:

SEC. 1738. The Environmental Protection Agency is directed to enter into a contract, within 60 days after the date of enactment of this Act, with the National Academy of Sciences to perform a comprehensive review of non-mercury hazardous air pollutants emitted by electric generating units and industrial boilers, and related health and economic data (including impacts on job creation and energy price, supply, and reliability) associated with potential regulation of such non-mercury hazardous air pollutants. The National Academy of Sciences shall prepare recommendations on appropriate regulatory standards for addressing non-mercury hazardous air pollutants and shall establish appropriate health-based exposure standards for such emissions. Upon completion of the study, the National Academy of Sciences shall report findings and recommendations to the Environmental Protection Agency and the Congress within 24 months of entering into the contract. The Environmental Protection Agency is discouraged from issuing any regulatory determination for non-mercury hazardous air pollutants, including a maximum achievable control technology standard for non-mercury hazardous air pollutants from electric generating units and industrial boilers, until the Environmental Protection Agency fully reviews the results and recommendations of such study.

H.R. 1

OFFERED BY: MR. CLYBURN

AMENDMENT NO. 408: At the end of the bill (before the short title), insert the following:

SEC. ____. (a) Of the funds made available by this Act for each of the following accounts or activities, 10 percent shall be allocated for assistance in persistent poverty counties:

(1) ''Department of Agriculture, Rural Development Programs''.

(2) ''Department of Commerce, Economic Development Administration, Economic Development Assistance Programs''.

(3) ''Department of Commerce, National Institute of Standards and Technology, Construction''.

(4) ''Department of Education, Fund for the Improvement of Education''.

(5) ''Department of Education, Fund for the Improvement of Postsecondary Education''.

(6) ''Department of Labor, Employment and Training Administration, Training and Employment Services''.

(7) ''Department of Health and Human Services, Health Resources and Services Administration''.

(8) ''Department of Housing and Urban Development, Economic Development Initiative''.

(9) ''Department of Justice, Office of Justice Programs''.

(10) ''Environmental Protection Agency, State and Tribal Assistance Grants, Water and Wastewater''.

(11) ''Department of Transportation, Federal Highway Administration, Transportation Community and System Preservation''.

(12) ''Department of the Treasury, Community Development Financial Institutions''.

(b) For purposes of this section, the term ''persistent poverty counties'' means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990, 2000, and 2010 decennial censuses.

(c) Not later than six months after the date of the enactment of this Act, each department or agency listed in subsection (a) shall submit to Congress a progress report on the implementation of this section.

H.R. 1

OFFERED BY: MR. PRICE OF GEORGIA

AMENDMENT NO. 409: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by division B may be used by the Department of Health and Human Services to implement or enforce section 2718 of the Public Health Service Act, as added by section 1001(5) and replaced by section 10101(f) of the Patient Protection and Affordable Care Act (Public Law 111–148).

H.R. 1

OFFERED BY: MR. PRICE OF GEORGIA

AMENDMENT NO. 410: Page 303, line 19, after the dollar amount insert ''(reduced by $233,400,000)''.

Page 359, line 15, after the dollar amount insert ''(increased by $233,400,000)''.

H.R. 1

OFFERED BY: MR. PRICE OF GEORGIA

AMENDMENT NO. 411: At the end of the bill (before the short title), insert the following:

SEC. ____. (a) IN GENERAL.—Notwithstanding any other provision of law, of all available unobligated funds, $45,000,000,000 in appropriated discretionary funds is rescinded.

(b) IMPLEMENTATION.—The Director of the Office of Management and Budget shall determine and identify from which appropriation accounts the rescission under section (a) shall apply and the amount of such rescission that shall apply to each such account. Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit a report to the Secretary of the Treasury and Congress of the accounts and amounts determined and identified for rescission under the preceding sentence.

(c) EXCEPTION.—This subsection shall not apply to the unobligated funds of the Department of Defense, the Department of Veterans Affairs, or the Social Security Administration.

H.R. 1

OFFERED BY: MR. PRICE OF GEORGIA

AMENDMENT NO. 412: Page 228, line 12, strike ''$80,000,000'' and insert ''$0''.

Page 228, line 18, strike ''$80,000,000'' and insert ''$0''.

H.R. 1

OFFERED BY: MS. WOOLSEY

AMENDMENT NO. 413: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used in Department of Defense overseas contingency operations budget for military operations in Afghanistan until the President to seeks to negotiate and enter into a bilateral status of forces agreement with the Government of the Islamic Republic of Afghanistan.

H.R. 1

OFFERED BY: MR. BISHOP OF NEW YORK

AMENDMENT NO. 414: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by division B of this Act may be used for the National Bio and Agro-Defense Facility in Manhattan, Kansas.

H.R. 1

OFFERED BY: MS. EDWARDS

AMENDMENT NO. 415: Page 275, line 19, after the dollar amount, insert ''(reduced by $200,000,000)''.

Page 274, line 16, after the dollar amount, insert ''(increased by $2,816,446,000)''.

H.R. 1

OFFERED BY: MR. PALLONE

AMENDMENT NO. 416: Page 305, line 15, after the dollar amount, insert ''(reduced by $639,463,000)''.

At the end of the division A, insert the following:

SEC. ____. Each amount made available by this division (other than an amount required to be made available by a provision of law) is hereby reduced, on a pro rata basis, so that the total of the reduction in amounts under this division resulting from the operation of this section equals $639,463,000.

H.R. 1

OFFERED BY: MR. ISSA

AMENDMENT NO. 417: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the National Institutes of Health to study the impact of integral yoga on hot flashes in menopausal women.

H.R. 1

OFFERED BY: MR. ISSA

AMENDMENT NO. 418: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the National Institutes of Health to examine the potential impact of a soda tax on population health.

H.R. 1

OFFERED BY: MR. ISSA

AMENDMENT NO. 419: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the National Institutes of Health to research the use of marijuana in conjunction with opioid medications, such as morphine.

H.R. 1

OFFERED BY: MR. ISSA

AMENDMENT NO. 420: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Department of Health and Human Services to study condom use skills in adult males.

H.R. 1

OFFERED BY: MR. ISSA

AMENDMENT NO. 421: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Department of Health and Human Services to study the concurrent and separate use of malt liquor and marijuana among young adults.

H.R. 1

OFFERED BY: MR. ISSA

AMENDMENT NO. 422: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the National Science Foundation to study whether video games improve mental health for the elderly.

H.R. 1

OFFERED BY: MRS. BLACKBURN

AMENDMENT NO. 423: At the end of the bill (before the short title), insert the following:

SEC. ____. Each amount made available by this Act (except for amounts made available by division A and titles VI and X of division B) is hereby reduced by 5 percent.

H.R. 1

OFFERED BY: MR. FORTENBERRY

AMENDMENT NO. 424: At the end of the bill (before the short title), insert the following new section:

SEC. ____. None of the funds made available by this Act may be used to provide any of the following types of assistance to Chad: international military education and training (IMET), foreign military financing (FMF), provision of excess defense articles, foreign military forces capacity assistance (section 1206 of the National Defense Authorization Act for Fiscal Year 2006), and direct commercial sales of military equipment.

H.R. 1

OFFERED BY: MR. HASTINGS OF FLORIDA

AMENDMENT NO. 425: Page 171, line 21, after the dollar amount, insert ''(reduced by $750,000)(increased by $750,000)''.

H.R. 1

OFFERED BY: MR. HASTINGS OF FLORIDA

AMENDMENT NO. 426: Page 173, line 14, after the dollar amount, insert ''(reduced by $750,000)(increased by $750,000)''.

H.R. 1

OFFERED BY: MR. POLIS

AMENDMENT NO. 427: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for—

(1) the investigation or criminal prosecution under any State or local law of any person for the manufacture, distribution, dispensation, or possession of marijuana; or

(2) the enforcement of any Federal law prohibiting the manufacture, distribution, dispensation, or possession of marijuana in jurisdictions where such activity is not prohibited under State or local law.

H.R. 1

OFFERED BY: MR. POLIS

AMENDMENT NO. 428: Page 246, line 13, after the dollar amount, insert ''(reduced by $200,000,000)''.

Page 246, beginning on line 13, strike the colon and all that follows through ''2011.'' and insert a period.

H.R. 1

OFFERED BY: MR. STEARNS

AMENDMENT NO. 429: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for the payment of attorney's fees or other legal expenses of any former senior executive officer of the Federal National Mortgage Corporation or Federal Home Loan Mortgage Corporation.

H.R. 1

OFFERED BY: MR. PITTS

AMENDMENT NO. 430: At the end of the bill (before the short title), insert the following:

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

H.R. 1

OFFERED BY: MR. FORTENBERRY

AMENDMENT NO. 431: Page 199, line 6, after the dollar amount, insert ''(reduced by $44,000,000)''.

Page 359, line 5, after the dollar amount, insert ''(increased by $44,000,000)''.

H.R. 1

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 432: Page 215, lines 8 and 9, strike ''(other than nuclear power facilities and front-end nuclear facilities)''.

Page 215, line 13, after the dollar amount insert ''(increased by $22,000,000,000)''.

H.R. 1

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 433: Page 217, line 13, after the dollar amount, insert ''(reduced by $586,600,000)''.

Page 359, line 8, after the dollar amount, insert ''(increased by $586,600,000)''.

H.R. 1

OFFERED BY: MR. HOLT

AMENDMENT NO. 434: Page 227, line 9, after the dollar amount, insert ''(reduced by $30,000,000)''.

H.R. 1

OFFERED BY: MR. HOLT

AMENDMENT NO. 435: Page 228, beginning on line 10, strike section 1517.

H.R. 1

OFFERED BY: MR. BLUMENAUER

AMENDMENT NO. 436: Page 303, strike lines 3 through 9 and insert the following:

(b) For payment to the Corporation for Public Broadcasting (''Corporation''), as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2013, $460,000,000: *Provided*, That none of the funds made available to the Corporation by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: *Provided further*, That none of the funds made available to the Corporation by this Act shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: *Provided further*, That none of the funds made available to the Corporation by this Act shall be used to apply any political test or qualification in selecting, appointing, promoting, or taking any other personnel action with respect to officers, agents, and employees of the Corporation: *Provided further*, That none of the funds made available to the Corporation by this Act shall be used to support the Television Future Fund or any similar purpose.

(c) For taxable years beginning after the date of the enactment of this Act, the allowance under section 611 of the Internal Revenue Code of 1986 with respect to an oil or gas well shall be calculated without regard to subsection (c) or (d) of section 613A of such Code.

H.R. 1

OFFERED BY: MR. WOODALL

AMENDMENT NO. 437: Page 195, line 6, strike ''in excess of $112,000,000.''

H.R. 1

OFFERED BY: MR. WOODALL

AMENDMENT NO. 438: Page 195, line 6, strike ''in excess of $112,000,000'' and insert ''other than amounts contractually obligated by the United States prior to enactment of this section.''

H.R. 1

OFFERED BY: MR. DOYLE

AMENDMENT NO. 439: At the end of the bill (before the short title), insert the following:

SEC. ____. The policy regarding public access to research results established for the National Institutes of Health by section 217 of division F of Public Law 111–17 shall apply to all Departments funded in this Act having more than $100,000,000 in annual expenditures for extramural research. Except with respect to the National Institutes of Health, the Secretaries of the Departments affected may designate other suitable online depositories to be used in lieu of the National Library of Medicine's PubMed Central.

H.R. 1

OFFERED BY: MR. MICA

AMENDMENT NO. 440: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for any recruiting or hiring of personnel into the Transportation Security Administration that would cause the agency to exceed a staffing level of two-thirds of the current staff at headquarters and one-half of the current staff, not including screeners, at regional offices.

H.R. 1

OFFERED BY: MR. DENHAM

AMENDMENT NO. 441: Page 239, line 16, after the first dollar amount, insert ''(reduced by $20,000,000)''.

H.R. 1

OFFERED BY: MR. DENHAM

AMENDMENT NO. 442: At the end of the bill (before the short title) insert the following new section:

SEC. 4002. None of the funds made available by this Act may be used for high-speed rail in the State of California, for the California High Speed Rail Authority, or for projects designed to further high speed rail in the State of California.

H.R. 1

OFFERED BY: MR. REICHERT

AMENDMENT NO. 443: Page 199, line 6, after the dollar amount, insert ''(reduced by $150,000,000)''.

Page 203, line 23, after the dollar amount, insert ''(increased by $150,000,000)''.

Page 204, line 8, after the first dollar amount, insert ''(increased by $150,000,000)''.

H.R. 1

OFFERED BY: MR. REICHERT

AMENDMENT NO. 444: Page 199, line 6, after the dollar amount, insert ''(reduced by $298,000,000)''.

Page 203, line 23, after the dollar amount, insert ''(increased by $298,000,000)''.

Page 204, line 8, after the first dollar amount, insert ''(increased by $298,000,000)''.

H.R. 1

OFFERED BY: MR. KINZINGER OF ILLINOIS

AMENDMENT NO. 445: At the end of the bill (before the short title), insert the following:

SEC. ____. No funds made available in this Act may be used to participate in any lawsuit that seeks to invalidate those provisions of the Arizona Revised Statutes amended by Arizona Senate Bill 1070, 49th Leg., 2nd Reg. Sess., Ch. 113 (Az. 6 2010) (as amended by Arizona House Bill 2162, 49th 7 Leg., 2nd Reg. Sess., Ch. 211 (Az. 2010)).

H.R. 1

OFFERED BY: MR. HOLT

AMENDMENT NO. 446: Page 131, line 24, after the dollar amount, insert ''(reduced by $1,500,000,000)''.

Page 359, line 6, after the dollar amount, insert ''(increased by $1,500,000,000)''.

H.R. 1

OFFERED BY: MR. HOLT

AMENDMENT NO. 447: Page 198, line 3, after the dollar amount, insert ''(reduced by $309,500,000)''.

Page 203, line 23, after the dollar amount, insert ''(increased by $309,500,000)''.

Page 204, line 8, after the first dollar amount, insert ''(increased by $309,500,000)''.

H.R. 1

OFFERED BY: MR. HOLT

AMENDMENT NO. 448: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Transportation Security Administration for the acquisition or deployment of backscatter x-ray full body scanner technology.

H.R. 1

OFFERED BY: MR. HOLT

AMENDMENT NO. 449: Page 268, line 12, after the dollar amount, insert ''(increased by $40,000,000)'' and strike on line 14 ''by substituting ''$0'' for ''$40,000,000'';''.

Page 270, line 24, after the dollar amount, insert ''(reduced by $40,000,000)''.

H.R. 1

OFFERED BY: MR. MACK

AMENDMENT NO. 450: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to carry out the programs under the National Community Service Act of 1990 (42 U.S.C. 12501 et seq.) or part A of title I of the Domestic Volunteer Service Act (42 U.S.C. 4952 et seq.).

H.R. 1

OFFERED BY: MR. MACK

AMENDMENT NO. 451: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to carry out the American Community Survey.

H.R. 1

OFFERED BY: MR. MACK

AMENDMENT NO. 452: At the end of the bill (before the short title), add the following:

SEC. ____. None of the funds made available by this Act may be used to administer the wage-rate requirements of subchapter IV of chapter 31 of title 40, United States Code, with respect to any project or program funded by this Act.

H.R. 1

OFFERED BY: MR. MACK

AMENDMENT NO. 453: At the end of the bill (before the short title) insert the following new section:

SEC. 4002. None of the funds made available by this Act may be used for the National Railroad Passenger Corporation.

H.R. 1

OFFERED BY: MR. MACK

AMENDMENT NO. 454: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to carry out the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

H.R. 1

OFFERED BY: MR. MACK

AMENDMENT NO. 455: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement or enforce the Report and Order of the Federal Communications Commission relating to the matter of preserving the open Internet and broadband industry practices (FCC 10–201, adopted by the Commission on December 21, 2010).

H.R. 1

OFFERED BY: MR. MACK

AMENDMENT NO. 456: Page 281, line 21, strike ''$145,000,000'' and insert ''$0''.

H.R. 1

OFFERED BY: MR. FLAKE

AMENDMENT NO. 457: Page 293, line 25, insert ''(reduced by $100,000,000)'' after the dollar amount.

Page 294, line 1, insert ''(reduced by $100,000,000)'' after the dollar amount.

Page 359, line 15, insert ''(increased by $100,000,000)'' before the period at the end.

H.R. 1

OFFERED BY: MR. FRANK OF MASSACHUSETTS

AMENDMENT NO. 458: At the end of the bill (before the short title), insert the following new section:

SEC. ____. The amounts otherwise provided by this Act are revised by reducing the amount made available for the ''Department of the Treasury, Internal Revenue Service, Enforcement'', by reducing the amount made available for the ''Department of the Treasury, Internal Revenue Service, Operations Support'', by reducing the amount made available for the ''General Services Administration, Real Property Activities, Federal Building Fund'', by reducing the amount made available for the ''General Services Administration, General Activities, Government-Wide Policy'', and by increasing the amount made available for the ''Independent Agencies, Securities and Exchange Commission, Salaries and Expenses'', by $77,000,000, $46,000,000, $7,000,000, $1,000,000, and $131,000,000, respectively.

H.R. 1

OFFERED BY: MR. HOLT

AMENDMENT NO. 459: Page 218, line 5, after the dollar amount insert ''(reduced by $700,000) (increased by $700,000)''.

H.R. 1

OFFERED BY: MR. HOLT

AMENDMENT NO. 460: Page 276, beginning on line 4, strike section 1746.

H.R. 1

OFFERED BY: MR. HOLT

AMENDMENT NO. 461: At the end of the bill (before the short title), insert the following:

SEC. 4002. There is hereby enacted into law H.R. 131 of the 112 Congress, as introduced in the House of Representatives on January 5, 2010 and H.R. 132 of the 112 Congress, as introduced in the House of Representatives on January 5, 2010 and H.R. 133 of the 112 Congress, as introduced in the House of Representatives on January 5, 2010 and H.R. 134 of the 112 Congress, as introduced in the House of Representatives on January 5, 2010 and H.R. 135 of the 112 Congress, as introduced in the House of Representatives on January 5, 2010.

H.R. 1

OFFERED BY: MR. PEARCE

AMENDMENT NO. 462: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for a program for which the authorization expired more than 5 years prior to the date of enactment of this Act.

H.R. 1

OFFERED BY: MR. PEARCE

AMENDMENT NO. 463: At the end of the bill (before the short title), insert the following:

SEC. ____. The unobligated balances of appropriations (and transfers of funds) listed in Table 2 of the Congressional Research Service report (R41301) entitled ''Appropriations and Fund Transfers in the Patient Protection and Affordable Care Act (PPACA)'' and dated February 10, 2011, are hereby rescinded and any such transfers so rescinded are restored to the fund from which the transfer originated. Insofar as such appropriation or transfer relates only to an increase in the amount of such an appropriation or transfer, the previous sentence shall only apply to the amount of such increase.

H.R. 1

OFFERED BY: MR. FILNER

AMENDMENT NO. 464: At the end of the bill (before the short title), insert the following:

SEC. ____. The amounts otherwise provided by this Act are revised by reducing the amount made available for ''Department of Housing and Urban Development, Administration, Operations and Management'', increasing the amount made available for ''Department of Housing and Urban Development, Public and Indian Housing, Tenant-Based Rental Assistance'', and increasing the amount made available for activities specified in paragraph (6) under the heading ''Department of Housing and Urban Development, Public and Indian Housing, Tenant-Based Rental Assistance'' of division A of Public Law 111-117, by $40,000,000.

H.R. 1

OFFERED BY: MR. POE OF TEXAS

AMENDMENT NO. 465: At the end of the bill (before the short title), insert the following:

SEC. 4002. None of the funds made available by this Act may be appropriated to any agency for the implementation, enforcement, or administration of section 1501 of the Patient Protection and Affordable Care Act, and the amendments made by such section, as amended.

H.R. 1

OFFERED BY: MR. POE OF TEXAS

AMENDMENT NO. 466: At the end of the bill (before the short title), insert the following:

SEC. ____. (a) None of the funds made available by this Act may be used by the Environmental Protection Agency to implement, administer, or enforce any statutory or regulatory requirement pertaining to emissions of carbon dioxide, methane, nitrous oxide, sulfur hexafluoride, hydrofluorocarbons, or perfluorocarbons from stationary sources that is issued or becomes applicable or effective after January 1, 2011.

(b) In this section, the term ''stationary source'' has the meaning given such term in section 111(a)(3) of the Clean Air Act (42 U.S.C. 7411(a)(3)).

H.R. 1

OFFERED BY: MR. GOODLATTE

AMENDMENT NO. 467: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to develop, promulgate, evaluate, implement, provide oversight to, or backstop total maximum daily loads or watershed implementation plans for the Chesapeake Bay Watershed.

H.R. 1

OFFERED BY MR. GOODLATTE

AMENDMENT NO. 468: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to subsidize wireless service under the Low Income Fund program of the Universal Service Fund.

H.R. 1

OFFERED BY: MR. GOODLATTE

AMENDMENT NO. 469: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for construction of the Richard H. Poff Federal Building in Roanoke, Virginia.

H.R. 1

OFFERED BY: MR. GOODLATTE

AMENDMENT NO. 470: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to carry out title XX of the Public Health Service Act (42 U.S.C. 300z et seq.; relating to adolescent family life demonstration projects).

H.R. 1

OFFERED BY: MR. GOODLATTE

AMENDMENT NO. 471: At the end of the bill, before the short title, insert the following:

LIMITATION ON FUNDS FOR NON-FEDERAL MUSEUMS

SEC. 4002. None of the funds appropriated, or otherwise made available, by this Act may be used to fund non-Federal museums.

H.R. 1

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT NO. 472: Page 198, lines 4 through 7, strike section 1312 which states ''SEC. 1312. Notwithstanding section 1101, the level for ''Department of Justice, Legal Activities, Salaries and Expenses, General Legal Activities'' shall be $865,097,000.''

H.R. 1

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT NO. 473: Page 208, at lines 11 through 15 of Section 1340 shall be amended to read ''the Legal Services Corporation'' in division B of Public Law 111–117 in the manner authorized in Public Law 111–117 for fiscal year 2010, except that for fiscal year 2011 the amounts specified in division B of Public Law 111–117 shall be—(1) ''$420,000,000''; and (2) ''394,400,000''.

H.R. 1

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT NO. 474: Page 208, lines 21 through 24, strike section 1342 which rescinds $1,740,000,000 of the funds made available for ''Department of Commerce, Bureau of the Census, Periodic Censuses and Programs''.

H.R. 1

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT NO. 475: Page 245, lines 1 through 3, strike section 1605 which reduces the level of funding for ''Department of Homeland Security, Office of the Federal Coordinator for Gulf Coast Rebuilding'' to $0.

H.R. 1

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT NO. 476: Page 262, lines 22 through 24 and page 263, lines 1 through 4, strike Section 1649 which rescinds $106,556,000 of unobligated balances available for ''Department of Homeland Security, U.S. Customs and Border Protection, Construction'' for construction projects.

H.R. 1

OFFERED BY: MR. BARLETTA

AMENDMENT NO. 477: At the end of the bill (before the short title), insert the following:

SEC. ____. The amounts otherwise provided by this Act are revised by reducing the amount made available for ''Related Programs, United States Institute of Peace'', and increasing the amount made available for ''Department of Health and Human Services, Administration for Children and Families, Low Income Home Energy Assistance'', by $42,676,000.

H.R. 1

OFFERED BY: MR. BARLETTA

AMENDMENT NO. 478: Page 215, line 19, after the dollar amount, insert ''(increased by $1,000,000)''.

Page 220, line 21, after the dollar amount, insert ''(reduced by $1,000,000)''.

H.R. 1

OFFERED BY: MR. SHULER

AMENDMENT NO. 479: Add at the end of title V the following section:

(a) IN GENERAL.—Paragraph (3) of section 469(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(C) EXCEPTION FOR TAXPAYER WHO IS NOT SMALL, INDEPENDENT OIL AND GAS COMPANY—

''(i) IN GENERAL.—Subparagraph (A) shall not apply to any taxpayer which is not a small, independent oil and gas company for the taxable year.

''(ii) AGGREGATION RULE.—For purposes of clause (i), all persons treated as a single employer under subsections (a) and (b) of section 52 shall be treated as 1 person.''.

(b) The funds dedicated in this Act to the Head Start program shall be supplemented by an amount equal to the total revenues lost by the general treasury in fiscal year 2010 as a result of tax incentives issued under paragraph (3) of section 469(c) of the Internal Revenue Code of 1986 to entities that meet the exception requirements of subsection (a) of this section.

H.R. 1

OFFERED BY: MR. SHULER

AMENDMENT NO. 480: Add at the end of title VII the following new section:

SEC. ____ (a) IN GENERAL.—None of the funds appropriated in this Act may be used for re-contouring of roads, construction of earthen berms or ''tank traps'' to block roads, or for the decommissioning of any roads within the Roy Taylor area of the Nantahala National Forest in North Carolina.

H.R. 1

OFFERED BY: MR. FRANKS OF ARIZONA

AMENDMENT NO. 481: Page 334, line 23, insert before the colon the following: ''and that the new Government of Egypt fulfills its commitment to the Egypt-Israel Peace Treaty signed on March 26, 1979, and to freedom of navigation of the Suez Canal''.

H.R. 1

OFFERED BY: MR. HELLER

AMENDMENT NO. 482: At the end of the bill (before the short title), insert the following:

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

H.R. 1

OFFERED BY: MR. FORTENBERRY

AMENDMENT NO. 483: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for or in sterilization campaigns.

H.R. 1

OFFERED BY: MR. CARDOZA

AMENDMENT NO. 484: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to pay the travel expenses of the Secretary of the Treasury.

H.R. 1

OFFERED BY: MR. BURTON

AMENDMENT NO. 485: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for the gathers and removals of free-roaming wild horses and burros, except for the purpose of fertility control.

H.R. 1

OFFERED BY: MS. BORDALLO

AMENDMENT NO. 486: Page 198, line 7, after the dollar amount insert ''(reduced by $29,000,000)''.

Page 201, line 12, after the dollar amount insert ''(increased by $29,000,000)''.

H.R. 1

OFFERED BY: MS. BORDALLO

AMENDMENT NO. 487: Page 264, line 23, after the dollar amount insert ''(reduced by $6,679,000)''.

Page 271, line 6, after the dollar amount insert ''(increased by $6,679,000)''.

H.R. 1

OFFERED BY: MS. BORDALLO

AMENDMENT NO. 488: Page 346, line16, strike ''and''.

Page 346, line 18, before the period, insert ''; and of which $24,000,000 shall be for the ground-based augmentation system of the NextGen air traffic control system''.

H.R. 1

OFFERED BY: MR. WEINER

AMENDMENT NO. 489: Page 203, line 23, after the dollar amount, insert ''(increased by $501,500,000)''.

Page 204, line 4, after the first dollar amount, insert ''(increased by $25,385,000)''.

Page 204, line 5, after the first dollar amount, insert ''(increased by $25,385,000)''.

Page 204, line 6, after the first dollar amount, insert ''(increased by $168,723,000)''.

Page 204, line 7, after the first dollar amount, insert ''(increased by $168,723,000)''.

Page 204, line 8, after the first dollar amount, insert ''(increased by $298,000,000)''.

Page 206, line 10, after the dollar amount, insert ''(reduced by $501,500,000)''.

H.R. 1

OFFERED BY: MS. CHU

AMENDMENT NO. 490: Page 301, line 16, strike ''$4,015'' and insert ''$4,860''.

H.R. 1

OFFERED BY: MS. WOOLSEY

AMENDMENT NO. 491: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act to the Food and Drug Administration may be used to approve any application submitted under section 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b) for approval of genetically engineered salmon (or any product derived from genetically engineered salmon) intended for human consumption.

H.R. 1

OFFERED BY: MR. HOLT

AMENDMENT NO. 492: Page 217, line 13, after the dollar amount insert ''(reduced by $133,625,000)''.

Page 218, line 5, after the dollar amount insert ''(increased by $445,625,000)''.

Page 218, line 21, after the dollar amount insert ''(reduced by $312,000,000)''.

H.R. 1

OFFERED BY: MR. HOLT

AMENDMENT NO. 493: Page 218, lines 5 through 10, strike '': *Provided,*'' and all that follows through ''et seq.)''.

H.R. 1

OFFERED BY: MR. HOLT

AMENDMENT NO. 494: Page 268, line 12, after the dollar amount, insert ''(increased by $40,000,000)''.

Page 268, line 15, after the first dollar amount, insert ''(increased by $40,000,000)''.

Page 270, line 24, after the dollar amount, insert ''(reduced by $40,000,000)''.

H.R. 1

OFFERED BY: MR. HALL

AMENDMENT NO. 495: At the end of the bill (before the short title) insert the following new section:

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

H.R. 1

OFFERED BY: MR. MATHESON

AMENDMENT NO. 496: At the end of the bill (before the short title), insert the following:

SEC. ____. The total amount of appropriations made available by this Act (other than for the Departments of Defense and Homeland Security) is hereby reduced by $600,000,000.

H.R. 1

OFFERED BY: MR. MATHESON

AMENDMENT NO. 497: At the end of the bill (before the short title), insert the following:

SEC. ____. The total amount of appropriations made available by this act (other than for Department of Defense and the U.S. Postal Service) is hereby reduced by $280,000,000.

H.R. 1

OFFERED BY: MR. JOHNSON OF OHIO

AMENDMENT NO. 498: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by division B of this Act may be used to develop, carry out, implement, or otherwise enforce proposed regulations published June 18, 2010 (75 Fed. Reg. 34,667) by the Office of Surface Mining Reclamation and Enforcement of the Department of the Interior.

H.R. 1

OFFERED BY: MR. CARDOZA

AMENDMENT NO. 499: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to pay the expenses of official travel (within the meaning of subchapter I of chapter 57 of title 5, United States Code) for the Secretary of the Treasury.

H.R. 1

OFFERED BY: MR. POLIS

AMENDMENT NO. 500: Page 246, line 13, after the dollar amount, insert ''(reduced by $200,000,000)''.

Page 246, beginning on line 13, strike the colon and all that follows through ''2011.'' and insert a period.

Page 359, line 11, after the dollar amount, insert ''(increased by $200,000,000)''.

H.R. 1

OFFERED BY: MR. POLIS

AMENDMENT NO. 501: Page 230, line 6, after the dollar amount, insert ''(reduced by $24,886,000)''.

H.R. 1

OFFERED BY: MR. POLIS

AMENDMENT NO. 502: Page 230, line 6, after the dollar amount, insert ''(reduced by $24,886,000)''.

H.R. 1

OFFERED BY: MR. LAMBORN

AMENDMENT NO. 503: Page 155, after line 20 (before the short title at the end of division A), insert the following:

TITLE X—ADDITIONAL APPROPRIATIONS AND OFFSET

SEC. 10001. (a) ADDITIONAL APPROPRIATIONS FOR DEPARTMENT OF DEFENSE.—In addition to amounts otherwise appropriated or made available by this division for the Department of Defense, there is appropriated to the Secretary of Defense an amount equal to the difference between—

(1) the sum of the amounts authorized to be appropriated for the Department of Defense by division A of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383); and

(2) the sum of the amounts actually appropriated or made available for the Department of Defense by titles I through IX of this division.

(b) OFFSET.—The amount appropriated by subsection (a) shall be offset by reductions in future appropriations for the executive branch generally, not merely the Department of Defense, and the Chairman of the Committee on the Budget of the House of Representatives shall provide the necessary adjustments in allocations, aggregates, and other appropriate levels in the concurrent resolution on the budget for fiscal year 2012 and such subsequent fiscal years as may be necessary to achieve such reductions.

H.R. 1

OFFERED BY: MR. LAMBORN

AMENDMENT NO. 504: At the end of the bill (before the short title), insert the following new section:

SEC. ____. (a) ADDITIONAL APPROPRIATIONS FOR DEPARTMENT OF DEFENSE.—In addition to amounts otherwise appropriated or made available by this Act for the Department of Defense, there is appropriated to the Secretary of Defense an amount equal to the difference between—

(1) the sum of the amounts authorized to be appropriated for the Department of Defense by division A of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383); and

(2) the sum of the amounts actually appropriated or made available for the Department of Defense by division A of this Act.

(b) OFFSET.—The amount appropriated by subsection (a) shall be offset by reductions in future appropriations for the executive branch generally, not merely the Department of Defense, and the Chairman of the Committee on the Budget of the House of Representatives shall provide the necessary adjustments in allocations, aggregates, and other appropriate levels in the concurrent resolution on the budget for fiscal year 2012 and such subsequent fiscal years as may be necessary to achieve such reductions.

H.R. 1

OFFERED BY: MS. DEGETTE

AMENDMENT NO. 505: On page 287, lines 17 through 20, strike paragraph (2) (prohibiting the availability of funds for the program under title X of the Public Health Service Act) and redesignate paragraph (3) as paragraph (2).

H.R. 1

OFFERED BY: MR. HOLT

AMENDMENT NO. 506: At the end of the bill (before the short title), insert the following:

SEC. ____. The amounts otherwise made available by this Act are revised by reducing the amount made available for ''Department of the Treasury, Internal Revenue Service, Enforcement'', and increasing the amounts provided in section 1517(a) for transfer from the Federal Reserve to the Bureau of Consumer Financial Protection for activities authorized to be carried out by such Bureau under title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act and amounts made available in section 1517(b) for obligation by such Bureau during fiscal year 2011, by $63,000,000, respectively.

H.R. 1

OFFERED BY: MR. AKIN

AMENDMENT NO. 507: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by division A of this Act may be used for termination liabilities with respect to assault vehicles of the Marine Corps or the Expeditionary Fighting Vehicle.

H.R. 1

OFFERED BY: MR. BARTLETT

AMENDMENT NO. 508: At the end of the bill (before the short title), insert the following:

SEC.____. No funds made available in this Act, or any prior Act, may be used for grant agreements or contracts with facilities defined in 7 U.S.C. §2132(e) if those agreements or contracts allow or encourage the breeding of chimpanzees.

H.R. 1

OFFERED BY: MR. CONNOLLY OF VIRGINIA

AMENDMENT NO. 509: Page 175, line 5, after the dollar amount, strike ''1,975,000,000'' and insert ''1,775,000,000.''

Page 347, strike lines 8 through 10.

H.R. 1

OFFERED BY: MS. NORTON

AMENDMENT NO. 510: Page 243, add after line 24 the following:

SEC. ____. Notwithstanding section 602(c)(1) of the District of Columbia Home Rule Act (sec. 1—206.02(c)(1), D.C. Official Code), the Closing of a Public Alley in Square 0441, S.O. 09–8516, Act of 2010 (D.C. Act 18–0639) shall take effect on the date of the enactment of such Act.

H.R. 1

OFFERED BY: MR. NADLER

AMENDMENT NO. 511: Beginning on page 346, strike line 12 and all that follows through page 348, line 2.

On page 348, strike line 17 and all that follows through page 351, line 17.

H.R. 1

OFFERED BY: MR. GRIMM

AMENDMENT NO. 512: Page 206, line 10, after the dollar amount insert ''(reduced by $195,150,000)''.

Page 293, line 4, after the dollar amount insert ''(increased by $195,150,000)''.

Page 293, line 8, after the dollar amount insert ''(increased by $195,150,000)''.

H.R. 1

OFFERED BY: MR. GRIMM

AMENDMENT NO. 513: Page 347, line 10, insert ''Reductions required under this section for 'Department of Transportation, Federal Railroad Administration, Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service' shall not be applied to maintenance programs. Such reductions shall be applied to routes with the highest operating losses, excluding maintenance costs.'' after ''Transit Authority'.''.

H.R. 1

OFFERED BY: MR. PRICE OF NORTH CAROLINA

AMENDMENT NO. 514: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to enforce the requirements in—

(1) section 34(a)(1)(A) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a(a)(1)(A));

(2) section 34(a)(1)(B) of such Act;

(3) section 34(c)(1) of such Act;

(4) section 34(c)(2) of such Act; and

(5) section 34(c)(4)(A) of such Act.

H.R. 1

OFFERED BY: MR. BISHOP OF UTAH

AMENDMENT NO. 515: At the end of the bill (before the short title), insert the following:

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

H.R. 1

OFFERED BY: MR. CAMP

AMENDMENT NO. 516: At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available by this Act may be used for the opening of the locks at the Thomas J. O'Brien Lock and Dam or the Chicago River Controlling Works.

H.R. 1

OFFERED BY: MR. FORTENBERRY

AMENDMENT NO. 517: Page 323, line 23, after the dollar amount, insert ''(reduced by $200,000,000) (increased by $200,000,000)''.

H.R. 1

OFFERED BY: MR. CAMPBELL

AMENDMENT NO. 518: At the end of the bill (before the short title), insert the following:

SEC. ____. Each amount made available by this Act (except for amounts for the Departments of Defense, Homeland Security, and Veterans Affairs, and other than an amount required to be made available by a provision of law) is hereby reduced by 5.5 percent.

H.R. 1

OFFERED BY: MR. CAMPBELL

AMENDMENT NO. 519: At the end of the bill (before the short title), insert the following:

SEC. ____. Each amount made available by this Act (other than an amount required to be made available by a provision of law) for the Departments of Defense and Homeland Security is hereby reduced by 3.5 percent.

H.R. 1

OFFERED BY: MR. QUIGLEY

AMENDMENT NO. 520: Page 231, beginning on line 22, strike section 1535.

H.R. 1

OFFERED BY: MR. BRALEY OF IOWA

AMENDMENT NO. 521: Page 276, line 11, after ''climate change'' insert '': *Provided*, That nothing in this section shall prohibit the Administrator of the Environmental Protection Agency from implementing or enforcing section 211(o) of the Clean Air Act (relating to the renewable fuel program)''.

H.R. 1

OFFERED BY: MS. BORDALLO

AMENDMENT NO. 522: Page 173, line 20, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 172, line 4, after the dollar amount, insert ''(increased by $5,000,000)''.

H.R. 1

OFFERED BY: MR. PAUL

AMENDMENT NO. 523: Page 325, line 7, after the dollar amount, insert ''(reduced by $1,000,000,000)''.

Page 325, line 12, after the dollar amount, insert ''(reduced by $5,385,000,000)''.

Page 325, line 13, after the dollar amount, insert ''(reduced by $3,000,000,000)''.

Page 325, line 14, after the dollar amount, insert ''(reduced by $1,300,000,000)''.

Page 325, line 15, after the dollar amount, insert ''(reduced by $300,000,000)''.

Page 325, line 21, after the dollar amount, insert ''(reduced by $789,000,000)''.

Page 359, line 20, after the dollar amount, insert ''(increased by $1,000,000,000)''.

Page 359, line 20, after the dollar amount, insert ''(increased by $5,385,000,000)''.

H.R. 1

OFFERED BY: MR. CONYERS

AMENDMENT NO. 524: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to make an application under section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) for an order requiring the production of library circulation records, library patron lists, book sales records, or book customer lists.

H.R. 1

OFFERED BY: MR. SCHWEIKERT

AMENDMENT NO. 525: At the end of the bill (before the short title), insert the following:

SEC. ____. In the event that the debt of the United States Government, as defined in section 3101 of title 31, United States Code, reaches the statutory limit, the authority of the Department of the Treasury provided in section 3123 of title 31, United States Code, to pay with legal tender the principal and interest on debt held by the public shall take priority over all other obligations incurred by the Government of the United States.

H.R. 1

OFFERED BY: MR. WU

AMENDMENT NO. 526: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement, administer, or enforce section 3(e) of the Natural Gas Act (15 U.S.C. 717b(e)).

H.R. 1

OFFERED BY: MR. DEUTCH

AMENDMENT NO. 527: Page 357, after line 22, insert the following:

SEC. 2239. The amounts otherwise provided by this Act are revised by reducing the amount made available for ''Department of Housing and Urban Development, Management and Administration, Administration, Operations and Management'', and increasing the amount made available for ''Department of Housing and Urban Development, Community Planning and Development, Community Development Fund'', by $25,000,000: *Provided*, That the additional amount made available by this section for the Community Development Fund shall be only for activities to mitigate, replace, or otherwise address problem drywall, to remain available until expended: *Provided* further, That such funds shall be treated as if the funds were made available for purposes under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) and the funds shall be allocated by the Secretary of Housing and Urban Development to States and local governments evidencing significant numbers of homes and other real property affected by problem drywall as defined by the Consumer Product Safety Commission: *Provided further*, That the funds made available by this section for the Community Development Fund shall be exempt from the national objective and overall low- and moderate-income benefit requirements of such title I: *Provided further*, That in administering such funds, the Secretary may waive or specify alternative requirements for any provision of any statute or regulation in connection with the obligation or the use of such funds except for requirements related to fair housing, nondiscrimination, labor standards, and the environment, upon a finding that such a waiver is necessary to expedite or facilitate the use of such funds: *Provided further*, That the Secretary shall publish any such waiver or alternative requirement in the Federal Register no later than 30 days before the effective date of such waiver or alternative requirement.

H.R. 1

OFFERED BY: MR. CARTER

AMENDMENT NO. 528: At the end of the bill (before the short title), insert the following:

SEC. ____. (a) None of the funds made available by this Act may be used to pay the salary or expenses of any position identified in subsection (b).

(b) The positions identified in this subsection are as follows:

(1) Senior Advisor to the Secretary of the Treasury Assigned to the Presidential Task Force on the Auto Industry.

(2) Assistant to the President for Homeland Security and Counterterrorism.

(3) Assistant to the President for Energy and Climate Change.

(4) White House Director of Urban Affairs.

(5) Associate Director, Technology Policy, Office of Science and Technology Policy.

(6) Senior Advisor, Environmental Protection Agency, Great Lakes Restoration Plan.

(7) Director, White House Office of Health Reform.

(8) Chair of the Recovery Accountability and Transparency Board.

(9) Special Counsel to the President for Ethics and Government Reform.

(10) Intellectual Property Enforcement Coordinator.

(11) Special Master for TARP Executive Compensation, Department of the Treasury.

(12) Special Envoy To Oversee the Closure of the Detention Center at Guantanamo Bay.

(13) Special Envoy for Sudan.

(14) Special Representative for Afghanistan and Pakistan.

(15) Chairman, Council on Jobs and Competitiveness.

(16) Special Advisor for Green Jobs, Enterprise and Innovation, Council on Environmental Quality.

(17) Associate General Counsel and Chief Diversity Officer, Federal Communications Commission.

(18) Special Envoy for the Middle East.

(19) Director of Recovery for Auto Communities and Workers.

(20) Special Advisor for the Persian Gulf and Southwest Asia.

(21) Special Assistant and Senior Director to the President and Weapons of Mass Destruction Coordinator.

(22) Assistant to the President and Special Advisor to the Secretary of the Treasury on the Bureau of Consumer Financial Protection.

(23) Deputy Director for Management, Office of Management and Budget.

(24) Special Envoy to Monitor and Combat Anti-Semitism.

H.R. 1

OFFERED BY: MR. ALEXANDER

AMENDMENT NO. 529: At the end of Sec. 1632, insert the following:

For Fiscal Year 2011, the Administrator of the Federal Emergency Management Agency may not use the assumption that a currently existing levee or flood control structure does not exist to designate an area as having new flood hazards pursuant to issuance, revision, updating, or other process to implement changes in flood insurance maps, except in cases where no affected community notifies the Federal Emergency Management Agency of objections to the Administrator's hazard modeling processes within 90 days of enactment of this Act. Nothing in this section shall be construed to establish, provide, or otherwise imply that the presence of an existing levee or flood control structure pursuant to the prior sentence thereby accredits such levee with providing 1-percent-annual-chance flood protection.

H.R. 1

OFFERED BY: MR. NUNES

AMENDMENT NO. 530. At the end of the bill (before the short title), insert the following:

The amount otherwise provided by this act for the Mid-Pacific Region of the Bureau of Reclamation within the Water and Related Resources account is hereby reduced by $72,000,000.

H.R. 1

OFFERED BY: MR. NUNES

AMENDMENT NO. 531. Page 216, line 19, after the period insert the following: ''The amount otherwise provided by this section for the Mid-Pacific Region of such Bureau is hereby reduced by $72,000,000.''.

H.R. 1

OFFERED BY: MR. YOUNG OF ALASKA

AMENDMENT NO. 532: Page 298, line 12, insert, ''or'' after ''title II,''.

Page 298, beginning on line 12, strike '', part B of title VII, or part C of title VII''.

H.R. 1

OFFERED BY: MR. YOUNG OF ALASKA

AMENDMENT NO. 533: At the end of the bill, (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Environmental Appeals Board to consider, review, reject, remand, or otherwise invalidate any permit issued for Outer Continental Shelf sources located offshore of the States along the Arctic Coast under section 328(a) of the Clean Air Act (42 U.S.C. 7627(a)).

H.R. 1

OFFERED BY: MR. ROYCE

AMENDMENT NO. 534: At the end of the bill (before the short title), insert the following:

SEC. ____. Each amount made available by this Act for motor vehicles for any civilian agency listed in the worldwide inventory of the most recent Federal fleet report of the General Services Administration is hereby reduced by 20 percent.

H.R. 1

OFFERED BY: MR. SCOTT OF VIRGINIA

AMENDMENT NO. 535: Page 198, line 3, after the dollar amount, insert ''(reduced by $100,000,000)''.

Page 203, line 8, after the dollar amount, insert ''(increased by $100,000,000)''.

H.R. 1

OFFERED BY: MR. WELCH

AMENDMENT NO. 536: At the end of the bill (before the short title), insert the following new section:

SEC. ____. The amount otherwise provided by this Act for ''Operation and Maintenance, Defense-Wide'' is hereby reduced by, and amount otherwise provided by this Act for ''Operation and Maintenance, Army National Guard'' is hereby increased by, $150,000,000 and $150,000,000, respectively.

H.R. 1

OFFERED BY: MR. WELCH

AMENDMENT NO. 537: Page 9, line 15, after the dollar amount, insert ''(reduced by $150,000,000)''.

Page 12, line 25, after the dollar amount, insert ''(increased by $150,000,000)''.

H.R. 1

OFFERED BY: MR. WELCH OF VERMONT

AMENDMENT NO. 538: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to carry out section 456(a)(4) of the Higher Education Act of 1965 (20 U.S.C. 1087f(a)(4)).

H.R. 1

OFFERED BY: MR. SENSENBRENNER

AMENDMENT NO. 539: At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds that this Act makes available to the Department of Transportation may be used for any program to check helmet usage or create checkpoints for motorcycle drivers or riders.

H.R. 1

OFFERED BY: MR. LATOURETTE OF OHIO

AMENDMENT NO. 540: Strike all after the enacting clause and insert the following:

DIVISION A—FULL-YEAR CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2011

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2011, and for other purposes, namely:

SECTION 101. (a) Such amounts as may be necessary, at the level specified in subsection (c) and under the authority and conditions provided in applicable appropriations Acts for fiscal year 2010, for each account, program, project, or activity (including the costs of direct loans and loan guarantees) for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (Public Law 111–80).

(2) The Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010 (division B of Public Law 111–117).

(3) The Department of Defense Appropriations Act, 2010 (Public Law 111–118).

(4) The Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85).

(5) The Financial Services and General Government Appropriations Act, 2010 (division C of Public Law 111–117).

(6) The Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83).

(7) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010 (division A of Public Law 111–88).

(8) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2010 (division D of Public Law 111–117).

(9) The Legislative Branch Appropriations Act, 2010 (division A of Public Law 111–68).

(10) The Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010 (division A of Public Law 111–117).

(11) The Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2010 (division E of Public Law 111–117).

(12) The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117).

(13) Section 102(c) (except the last proviso relating to waiver of fees) of chapter 1 of title I of the Supplemental Appropriations Act, 2010 (Public Law 111–212) that addresses guaranteed loans in the rural housing insurance fund.

(14) The appropriation under the heading ''Department of Commerce—United States Patent and Trademark Office'' in the United States Patent and Trademark Office Supplemental Appropriations Act, 2010 (Public Law 111–224).

(b) For purposes of this division, the term ''level'' means an amount.

(c)(1) Except as provided in paragraphs (2) and (3), the level referred to in subsection (a) shall be, with respect to the amounts appropriated in the appropriations Acts referred to in the following paragraphs of such subsection, including transfers and obligation limitations, equal to the following percentage of such amounts:

(A) In paragraph (1), 69.18 percent.

(B) In paragraphs (2) and (14), 79.77 percent.

(C) In paragraph (3), 101.30 percent.

(D) In paragraph (4), 89 percent.

(E) In paragraph (5), 81.25 percent.

(F) In paragraph (6), 95.26 percent.

(G) In paragraph (7), 80.94 percent.

(H) In paragraph (8), 82.66 percent.

(I) In paragraph (9), 93.69 percent.

(J) In paragraphs (10) and (13), 71.4 percent.

(K) In paragraph (11)—

(i) 100 percent, with respect to amounts made available for the Veterans Benefits Administration and the Veterans Health Administration; and

(ii) 96.19 percent, with respect to all other amounts.

(L) In paragraph (12)—

(i) 100 percent, with respect to amounts made available for Israel; and

(ii) 88.08 percent, with respect to all other amounts.

(2) Such level shall not include any amount previously designated as an emergency requirement and necessary to meet emergency needs pursuant to sections 403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(3) Such level shall be calculated without regard to any rescission or cancellation of funds or contract authority.

SEC. 102. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 103. Appropriations provided by this division that, in the applicable appropriations Act for fiscal year 2010, carried a multiple-year or no-year period of availability shall retain a comparable period of availability.

SEC. 104. Except as otherwise expressly provided in this division, the requirements, authorities, conditions, limitations, and other provisions of the appropriations Acts referred to in section 101(a) shall continue in effect through the date specified in section 106.

SEC. 105. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were specifically prohibited during fiscal year 2010.

SEC. 106. Unless otherwise provided for in this division or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this division shall be available through September 30, 2011.

SEC. 107. Expenditures made pursuant to the Continuing Appropriations Act, 2011 (Public Law 111–242), shall be charged to the applicable appropriation, fund, or authorization provided by this division.

SEC. 108. Funds appropriated by this division may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 109. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2010, and for activities under the Food and Nutrition Act of 2008, the levels established by section 101 shall be the amounts necessary to maintain program levels under current law and under the authority and conditions provided in the applicable appropriations Acts for fiscal year 2010.

(b) In addition to the amounts otherwise provided by section 101, the following amounts shall be available for the following accounts for advance payments for the first quarter of fiscal year 2012:

(1) ''Department of Labor, Employment Standards Administration, Special Benefits for Disabled Coal Miners'', for benefit payments under title IV of the Federal Mine Safety and Health Act of 1977, $41,000,000, to remain available until expended.

(2) ''Department of Health and Human Services, Centers for Medicare and Medicaid Services, Grants to States for Medicaid'', for payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act, $86,445,289,000, to remain available until expended.

(3) ''Department of Health and Human Services, Administration for Children and Families, Payments to States for Child Support Enforcement and Family Support Programs'', for payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and

the Act of July 5, 1960 (24 U.S.C. ch. 9), $1,200,000,000, to remain available until expended.

(4) ''Department of Health and Human Services, Administration for Children and Families, Payments to States for Foster Care and Permanency'', for payments to States or other non-Federal entities under title IV–E of the Social Security Act, $1,850,000,000.

(5) ''Social Security Administration, Supplemental Security Income Program'', for benefit payments under title XVI of the Social Security Act, $13,400,000,000, to remain available until expended.

SEC. 110. Amounts incorporated by reference in this division that were previously designated as available for overseas deployments and other activities pursuant to S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, are designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress).

SEC. 111. Any language specifying an earmark in an appropriations Act for fiscal year 2010, or in a committee report or joint explanatory statement accompanying such an Act, shall have no legal effect with respect to funds appropriated by this division. For purposes of this section, the term ''earmark'' means a congressional earmark or congressionally directed spending item, as defined in clause 9(e) of rule XXI of the Rules of the House of Representatives and paragraph 5(a) of rule XLIV of the Standing Rules of the Senate.

SEC. 112. Notwithstanding section 101, none of the funds appropriated or otherwise made available in this division or any other Act (including division A of this Act) may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 113. (a)(1) Notwithstanding section 101, except as provided in paragraph (2), none of the funds appropriated or otherwise made available in this division or any other Act (including division A of this Act) may be used to transfer any individual detained at Guantanamo to the custody or effective control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress the certification described in subsection (b) by not later than 30 days before the transfer of the individual.

(2) Paragraph (1) shall not apply to any action taken by the Secretary of Defense to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction. The Secretary of Defense shall notify Congress promptly upon issuance of any such order.

(b) The certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State, that the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(1) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(2) maintains effective control over each detention facility in which an individual is to be detained if the individual is to be housed in a detention facility;

(3) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(4) has agreed to take effective steps to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(5) has taken such steps as the Secretary determines are necessary to ensure that the individual cannot engage or re-engage in any terrorist activity; and

(6) has agreed to share any information with the United States that—

(A) is related to the individual or any associates of the individual; and

(B) could affect the security of the United States, its citizens, or its allies.

(c)(1) Except as provided in paragraph (3), none of the funds appropriated or otherwise made available in this division or any other Act (including division A of this Act) may be used to transfer any individual detained at Guantanamo to the custody or effective control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to the foreign country or entity and subsequently engaged in any terrorist activity.

(2) The Secretary of Defense may waive the prohibition in paragraph (1) if the Secretary determines that such a transfer is in the national security interests of the United States and includes, as part of the certification described in subsection (b) relating to such transfer, the determination of the Secretary under this paragraph.

(3) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction. The Secretary shall notify Congress promptly upon issuance of any such order.

(d) For the purposes of this section:

(1) The term ''individual detained at Guantanamo'' means any individual who is located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the effective control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(2) The term ''foreign terrorist organization'' means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 114. (a) Notwithstanding section 101, none of the funds appropriated or otherwise made available by this division or any other Act (including division A of this Act) may be used to construct or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 115. None of the funds appropriated or otherwise made available by this division or any other Act (including division A of this Act) may be obligated by any covered executive agency in contravention of the certification requirement of section 6(b) of the Iran Sanctions Act of 1996, as included in the revisions to the Federal Acquisition Regulation pursuant to such section.

SEC. 116. Section 550(b) of Public Law 109–295, as amended by section 550 of Public Law 111–83, shall be applied by substituting the date specified in section 106 of this division for ''October 4, 2010''.

SEC. 117. Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)) shall be applied by substituting the date specified in section 106 of this division for ''September 30, 2010''.

SEC. 118. (a) Section 1115(d) of Public Law 111–32 shall be applied by substituting the date specified in section 106 of this division for ''October 1, 2010''.

(b) Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) shall be applied by substituting the date specified in section 106 of this division for ''October 1, 2010'' in paragraph (2).

(c) Section 61(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2733(a)) shall be applied by substituting the date specified in section 106 of this division for ''October 1, 2010'' in paragraph (2).

(d) Section 625(j)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by substituting the date specified in section 106 of this division for ''October 1, 2010'' in subparagraph (B).

SEC. 119. The authority provided by section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) shall remain in effect through the date specified in section 106 of this division.

SEC. 120. The provisions of title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11311 et seq.) shall continue in effect, notwithstanding section 209 of such Act, through the earlier of: (1) the date specified in section 106 of this division; or (2) the date of the enactment into law of an authorization Act relating to the McKinney-Vento Homeless Assistance Act.

DIVISION B—STIMULUS RESCISSIONS

SEC. 201. (a) There are hereby rescinded all unobligated balances remaining available as of February 11, 2011, of the discretionary appropriations provided by division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5).

(b) Subsection (a) shall not apply to funds appropriated or otherwise made available to Offices of Inspector General and the Recovery Act Accountability and Transparency Board by division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5).

SEC. 202. Hereafter, no Federal agency administering funds provided by division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) may provide funding or reimbursement to any entity awarded funds from such Act for the cost associated with physical signage or other advertisement indicating that a project is funded by such Act.

DIVISION C—MISCELLANEOUS PROVISIONS

SPENDING REDUCTION ACCOUNT

SEC. 4001. [Here insert the text of section 4001 in the pending text, as perfected, such that the matter proposed to be inserted under the heading SPENDING REDUCTION ACCOUNT is identical to the matter proposed to be stricken under that heading.]

This Act may be cited as the ''Full-Year Continuing Appropriations Act, 2011''.

H.R. 1

OFFERED BY: MS. CASTOR OF FLORIDA

AMENDMENT NO. 541: Page 201, strike lines 9 through 18.

H.R. 1

OFFERED BY: MS. CASTOR OF FLORIDA

AMENDMENT NO. 542: Page 294. Beginning on line 4, strike ''and'' and all that follows through ''Act'' on line 5.

H.R. 1

OFFERED BY: MR. MICA

AMENDMENT NO. 543: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for any recruiting or hiring of personnel into the Transportation Security Administration that would cause the agency to exceed two-thirds of the current employees at headquarters or one-half of the current non-screener workforce at regional offices.

H.R. 1

OFFERED BY: MS. CASTOR OF FLORIDA

AMENDMENT NO. 544: Page 245, strike lines 11 through 15.

H.R. 1

OFFERED BY: MR. POMPEO

AMENDMENT NO. 545: At the end of the bill (before the short title), insert the following:

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

H.R. 1

OFFERED BY: MR. POMPEO

AMENDMENT NO. 546: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Consumer Product Safety Commission to promulgate, implement, administer, or enforce a final rule relating to testing and labeling pertaining to product certification based on the proposed rule published in the Federal Register on May 20, 2010 (75 Fed. Reg. 28336).

H.R. 1

OFFERED BY: MR. POMPEO

AMENDMENT NO. 547: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Consumer Product Safety Commission to publish a notice of requirements for accreditation of third party conformity assessment bodies for testing the conformity of products with section 106 or 108 of the Consumer Product Safety Improvement Act of 2008 or rules promulgated under either such section.

H.R. 1

OFFERED BY: MR. JONES

AMENDMENT NO. 548: At the end of the bill (before the short title), insert the following:

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

H.R. 1

OFFERED BY: MR. WELCH

AMENDMENT NO. 549: Page 187, line 24, insert before the period the following: '': *Provided further*, That, from the funds made available by this title, the Secretary of Agriculture shall transfer an additional $149,000,000 to the Commodity Futures Trading Commission to ensure that the Commodity Futures Trading Commission is able to carry out its duties under the law''.

H.R. 1

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 550: Page 288, line 20, and line 21, after the dollar amount on each such line, insert ''(reduced by $750,000,000)''.

Page 359, line 15, after the dollar amount, insert ''(increased by $750,000,000)''.

H.R. 1

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 551: Page 288, line 20, after the dollar amount, insert ''(reduced by $750,000,000)''.

Page 288, beginning on line 21, strike ''$750,000,000'' through ''such Public Law; (2)''.

Page 289, line 1, strike ''(3)'' and insert ''(2)''.

Page 359, line 15, after the dollar amount, insert ''(increased by $750,000,000)''.

H.R. 1

OFFERED BY: MR. SCHRADER

AMENDMENT NO. 552: At the end of the bill (before the short title), insert the following:

SEC. ____. (a) Notwithstanding any other provision of this Act (other than a provision relating to amounts required to be made available by a provision of law), divisions A and B of this Act appropriate for fiscal year 2011, for each agency for which amounts were made available (with respect to division A) in the Department of Defense Appropriations Act, 2010 (Public Law 111–118) or (with respect to division B) an appropriations Act referred to in section 1101(a), such amounts as may be necessary, under the authority and conditions provided in applicable appropriations Acts and at the level specified in section 1101(c), except that such level, with respect to the following appropriations Acts, shall be equal to the following percentages of the amounts made available for such agency in such Acts for fiscal year 2010 (other than amounts required to be made available by a provision of law), including transfers and obligation limitations:

(1) The Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010 (division B of Public Law 111–117), 89 percent.

(2) The Department of Defense Appropriations Act, 2010 (Public Law 111–118), 101 percent.

(3) The Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83), the percentage required to bring the aggregate amount appropriated in such Act for fiscal year 2010 (other than amounts required to be made available by a provision of law) to $42,517,000,000.

(4) The Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2010 (division E of Public Law 111–117), the percentage required to bring the aggregate amount appropriated in such Act for fiscal year 2010 (other than amounts required to be made available by a provision of law) to $74,682,000,000.

(5) All other appropriations Acts referred to in section 1101(a), 96 percent.

(b) Notwithstanding any other provision of this Act, expenditures made pursuant to the Continuing Appropriations Act, 2011 (Public Law 111–242), shall be charged to the applicable appropriation, fund, or authorization provided by division A in the same manner as provided by this Act with respect to division B.

(c) Amounts appropriated by subsection (a) may be allocated by the applicable agency head among agency accounts, programs, projects, and activities, notwithstanding any other provision of this Act.

H.R. 1

OFFERED BY: MRS. MCMORRIS RODGERS

AMENDMENT NO. 553: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to pay salaries of officers and employees of the Department of the Treasury who implement any of the following sections of Public Law 111–148 (including the amendments made by such sections):

(1) Section 1501.

(2) Section 1502.

(3) Section 1513.

(4) Section 1514.

(5) Section 10108.

H.R. 1

OFFERED BY: MR. PRICE OF GEORGIA

AMENDMENT NO. 554: At the end of the bill before the short title, insert the following:

SEC. ____. It is the sense of the House of Representatives that the current budgetary framework as provided for in the Congressional Budget and Impoundment Control Act of 1974 and subsequent Acts should be repealed and replaced with a new framework which—

(1) Forces Congress to balance the budget;

(2) Relies on zero-growth based budgeting;

(3) Sets forth binding spending limits;

(4) Makes it easier to review and eliminate federal programs and agencies; and

(5) Narrows the criteria for designating emergency spending.

H.R. 1

OFFERED BY: MR. BOUSTANY

AMENDMENT NO. 555: Page 215, beginning on line 9, strike ''and front-end nuclear facilities'' and insert '', front-end nuclear facilities, and conditional loan guarantee commitments''.

H.R. 1

OFFERED BY: MR. PEARCE

AMENDMENT NO. 556: On page 263, line 22, after the dollar amount, insert ''(reduce by $2,590,000)''.

On page 264, line 3, after the dollar amount, insert ''(reduced by $2,750,000)''.

On page 264, line 20, after the dollar amount, insert ''(reduced by $23,737,000)''.

On page 264, line 23, after the dollar amount, insert ''(reduc by $15,055,000)''.

On page 267, line 17, after the dollar amount, insert ''(reduced by $171,713,000)''.

On page 268, line 12, after the dollar amount, insert ''(reduced by $14,100,000)''.

On page 278, line 3, after the dollar amount, insert ''(reduced by $9,100,000)''.

SEC. ____. None of the funds made available by this Act may be used for the Land and

On page 359, line 12, after the dollar amount, insert ''(increases by $239,045,000)''.

H.R. 1

OFFERED BY: MR. GARDNER

AMENDMENT NO. 557: At the end of the bill (before the short title), insert the following:

SEC. ____. (a) None of the funds made available by this Act or any other Act in any fiscal year may be used by the Environmental Protection Agency to propose, finalize, implement, or enforce any regulation that includes any article or substance described in subsection (b) as a chemical substance subject to regulation under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.).

(b) Articles and substances described in this subsection are the following:

(1) Any article the sale of which is subject to, or eligible to be subject to, the tax imposed by section 4181 of the Internal Revenue Code of 1986, and any component of such an article thereof.

(2) Any substance that is manufactured, processed, or distributed in commerce for use in any article or separate component described in paragraph (1) (as determined without regard to any exemption from the tax imposed by section 4181 of the Internal Revenue Code of 1986 under section 4182, section 4221, or any other provision of that Code).

(3) Any article the sale of which is subject to, or eligible to be subject to, the tax imposed by section 4161 of the Internal Revenue Code of 1986, and any component of such an article thereof.

(4) Any substance that is manufactured, processed, or distributed in commerce for use in any article or separate component described in paragraph (3).

H.R. 1

OFFERED BY: MR. ALEXANDER

AMENDMENT NO. 558: Page 254, after line 17, insert the following new section:

SEC. 1633. For fiscal year 2011, the Administrator of the Federal Emergency Management Agency may not use the assumption that a currently existing levee or flood control structure does not exist to designate an area as having new flood hazards pursuant to issuance, revision, updating, or any other process to implement changes in flood insurance maps used under the national flood insurance program under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), except in cases where no affected community notifies the Federal Emergency Management Agency of objections to the Administrator's hazard modeling processes within 90 days of the enactment of this Act. Nothing in this section shall be construed to establish, provide, or otherwise imply that the presence of an existing levee or flood control structure pursuant to the preceding sentence thereby accredits such levee with providing protection from a flood of a level that has a 1-percent chance of being equaled or exceeded in any single year.

H.R. 1

OFFERED BY: MR. ALEXANDER

AMENDMENT NO. 559: At the end of the bill (before the short title), insert the following:

SEC. 4002. None of the funds made available by this Act may be used to designate an area protected by a currently existing levee or flood control structure as having new flood hazards pursuant to issuance, revision, updating, or any other process to implement changes in flood insurance maps used under the national flood insurance program under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) and pursuant to an assumption that such currently existing levee or flood control structure does not exist, except in cases where no affected community notifies the Federal Emergency Management Agency of objections to the Administrator's hazard modeling processes within 90 days of the enactment of this Act.

H.R. 1

OFFERED BY: MR. FLORES

AMENDMENT NO. 560: At the end of the bill (before the short title), insert the following:

SEC. ____. The amounts otherwise made available by this Act for the following accounts are hereby reduced by the following amounts:

(1) ''Executive Office of the President and Funds Appropriated to the President, The White House, Salaries and Expenses'', $4,530,000.

(2) ''Executive Office of the President and Funds Appropriated to the President, Executive Residence at the White House, Operating Expenses'', $332,000.

(3) ''Executive Office of the President and Funds Appropriated to the President, White House Repair and Restoration'', $405,000.

(4) ''Executive Office of the President and Funds Appropriated to the President, National Security Council, Salaries and Expenses'', $2,979,000.

(5) ''Executive Office of the President and Funds Appropriated to the President, Office of Administration, Salaries and Expenses'', $17,771,000.

(6) ''Executive Office of the President and Funds Appropriated to the President, Office of Management and Budget, Salaries and Expenses'', $10,220,000.

H.R. 1

OFFERED BY: MR. PETERS

AMENDMENT NO. 561: At the end of the bill (before the short title), insert the following new section:

SEC. ____. None of the funds made available by this Act may be used by the Animal and Plant Health Inspection Service to conduct lethal wildlife control activities under the Wildlife Services program for the purpose of protecting livestock, crops or other agricultural interests, and the amount otherwise provided by this Act for ''Agricultural Programs, Animal and Plant Health Inspection Service, Salaries and Expenses'' is hereby reduced by $28,000,000.

H.R. 1

OFFERED BY: MR. REYES

AMENDMENT NO. 562: Page 245, line 7, after the dollar amount, insert ''(increased by $60,000,000)''.

Page 245, line 19, after the dollar amount, insert ''(reduced by $60,000,000)''.

H.R. 1

OFFERED BY: MRS. NOEM

AMENDMENT NO. 563: At the end of the bill (before the short title), insert the following:

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

H.R. 1

OFFERED BY: MR. BASS OF NEW HAMPSHIRE

AMENDMENT NO. 564: Page 291, line 11, after the dollar amount, insert ''(reduced by $98,000,000)''.

Page 293, line 4, after the dollar amount, insert ''(increased by $50,000,000)''

Page 293, line 8, after the dollar amount, insert ''(increased by $50,000,000)''.

Page 359, line 15, after the dollar amount, insert ''increased by ''(increased by $48,000,000)''.

H.R. 1

OFFERED BY: MR. BASS OF NEW HAMPSHIRE

AMENDMENT NO. 565: Page 291, line 11, after the dollar amount, insert ''(reduced by $98,000,000)''.

Page 293, line 4, after the dollar amount, insert ''(increased by $50,000,000)''.

Page 293, line 8, after the dollar amount, insert ''(increased by $50,000,000)''.

H.R. 1

OFFERED BY: MR. BOREN

AMENDMENT NO. 566: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to require a person licensed under section 923 of title 18, United States Code, to report information to the Department of Justice regarding the sale of multiple rifles or shotguns to the same person.

H.R. 1

OFFERED BY: MS. HAYWORTH

AMENDMENT NO. 567: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement section 1899A of the Social Security Act (42 U.S.C. 1395kkk), as added by section 3403 of the Patient Protection and Affordable Care Act (Public Law 111–148).

H.R. 1

OFFERED BY: MR. ISSA

AMENDMENT NO. 568: At the end of the bill (before the short title), insert the following:

SEC. ____.

(a) None of the funds made available by this Act may be used to provide grants (within the meaning of section 6302 and section 6304 of Title 31 of the United States Code).

(b) Subsection (a) shall not apply to grants allocated under a statutory formula or grants to states, territories, tribal areas, the District of Columbia, outlying areas and freely associated states.

H.R. 1

OFFERED BY: MR. ISSA

AMENDMENT NO. 569: At the end of the bill (before the short title), insert the following:

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

H.R. 1

OFFERED BY: MR. MATHESON

AMENDMENT NO. 570: At the end of the bill (before the short title), insert the following:

SEC. ____. Each amount made available by this Act for motor vehicles for any civilian agency listed in the worldwide inventory of the most recent Federal fleet report of the General Services Administration is hereby reduced by 20 percent.

H.R. 1

OFFERED BY: MR. HULTGREN

AMENDMENT NO. 571: In Division B, at the end of TITLE IV—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES, add the following new section:

SEC. ____. Notwithstanding any other provision of law, the Department of Energy is hereby authorized to proceed with the new experiments requested for the High Energy Physics program.

H.R. 1

OFFERED BY: MR. RUSH

AMENDMENT NO. 572: Page 287, line 23, insert the following:

(4) not more than $100,000,000 shall be available until expended for carrying out the provisions of Section 3505(b) [Trauma Service Availability Grants] of Public Law 111–148 (Patient Protection and Affordable Care Act).

H.R. 1

OFFERED BY: MR. COOPER

AMENDMENT NO. 573: At the end of the bill (before the short title), insert the following:

SEC. ____. Notwithstanding any other provision of this Act (other than a provision relating to amounts required to be made available by a provision of law), this Act appropriates for fiscal year 2011, for each account, program, project or activity for which amounts were appropriated in an appropriations Act referred to in section 1101(a), such amounts as may be necessary, at the level specified in section 1101(c), except that such level, with respect to the following appropriations Acts, shall be equal to the following percentages of the amounts appropriated in such appropriations Acts, including transfers and obligation limitations:

(1) The Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83), 100 percent.

(2) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2010 (division D of Public Law 111–117)—

(A) with respect to amounts made available by such Act for Pell Grants, 100 percent; and

(B) with respect to all other amounts made available by such Act, 95 percent.

(3) The Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2010 (division E of Public Law 111–117), 100 percent.

(4) All other appropriations Acts referred to in section 1101(a), 95 percent.

H.R. 1

OFFERED BY: MR. PEARCE

AMENDMENT NO. 574: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to make any contribution on behalf of the United States to the Intergovernmental Panel on Climate Change (IPCC).

H.R. 1

OFFERED BY: MR. REHBERG

AMENDMENT NO. 575: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be paid to any employee, officer, contractor, or grantee of any department or agency funded by title VIII of division B of this Act to implement the provisions of Public Law 111–148 or title I or subtitle B of title II of Public Law 111–152.

H.R. 1

OFFERED BY: MS. ESHOO

AMENDMENT NO. 576: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to enter into any contract with a corporation or other business entity that does not disclose its political contributions.

H.R. 1

OFFERED BY: MR. PRICE OF GEORGIA

AMENDMENT NO. 577: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to pay the salaries and expenses of personnel to carry out and implement Title X (Bureau of Consumer Financial Protection) of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

H.R. 1

OFFERED BY: MR. PRICE OF GEORGIA

AMENDMENT NO. 578: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to pay the salaries and expenses of personnel to carry out and implement the National Labor Relations Act (29 U.S.C. 151 et seq.).

H.R. 1

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT NO. 579: Page 261, lines 22 through 25, and page 262, lines 1 through 4, strike Section 1649 which rescinds $106,556,000 in unobligated balances available for ''Department of Homeland Security, U.S. Customs and Border Protection, Construction'' for construction projects.

H.R. 1

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT NO. 580: Page 245, lines 1 through 3, strike Section 1605 which reduces the level of funding for ''Department of Homeland Security, Office of the Federal Coordinator for Gulf Coast Rebuilding'' to $0.

H.R. 1

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT NO. 581: Page 358, beginning on line 9, strike section 3002.

H.R. 1

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT NO. 582: Page 357, beginning on line 24, strike section 3001.

H.R. 1

OFFERED BY: MR. REED OF NEW YORK

AMENDMENT NO. 583: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to change any rate of salary or basic pay pursuant to section 1113 of Public Law 111–32.