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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,
July 13, 2011.

I hereby appoint the Honorable RENEE L. 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.

STOP PLAYING POLITICAL GAMES WITH SOCIAL SECURITY

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

Mr. KUCINICH. Madam Speaker, 3 months ago, 276 experts on Social Security, the Federal budget or the economy wrote to President Obama ''to correct a commonly held misconception that Social Security somehow contributes to the Federal Government's deficit.''

Despite the fact that Social Security has a $2.6 trillion surplus and can pay 100 percent of its benefits through 2037 without any cuts or tax increases, President Obama declared yesterday that Social Security checks may not go out after August 2, presumably unless there is a deal on the Federal deficit, which has nothing to do with Social Security.

According to today's Washington Post, 15 years ago, Congress passed laws which stated Social Security did not count against the debt limit and gave Treasury clear authority to use Social Security trust funds to pay benefits and administration expenses in the event a debt ceiling is reached.

A fake Social Security crisis will do nothing to solve a real debt crisis, will undermine the public's faith in government, and will create unnecessary anxiety among our elderly. Stop playing political games with Social Security.

THE WILL TO GET AMERICAN JOBS MOVING AGAIN

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

Mr. DENHAM. Madam Speaker, with the June national unemployment rate at 9.2 percent and with consistent double-digit unemployment in my district, we must get Americans back to work. June marks 29 consecutive months in which we've had unemployment at or above 8 percent, averaging 9.5 percent during that time. Unemployment hasn't been above 8 percent for that length of time since the Great Depression.

We've got to start utilizing the policies that will get Americans back to work. We need to make sure that we are reducing the regulations and are having the economic policies that get Americans willing to take the risk: the risk to go out and borrow money to start a business, willing to take the risk to not only hire employees but to actually make sure that they're willing to have that long-term employment, making sure that they've got the promise to those employees that they're going to be able to continue on those jobs. We've got to give Americans the opportunity to take that great risk in our economy.

We also need to unleash the strength of our Nation by utilizing our natural resources. The greatest opportunity we have as a Nation to get Americans back to work is by utilizing our own natural resources. In my area, where we've got double-digit unemployment, we've got a water shortage that causes our agriculture to leave land fallow, leaving thousands unemployed. By getting the water flowing again, we will not only get agriculture moving again but the local economies as well.

The mountain areas with timber, if we don't use the natural resources that we have in our forests, if we don't manage our timber harvesting plans, not only will we see the lack of employment opportunities, but we'll see devastation and we'll see fires, because the forests will manage themselves if we don't manage the forests for them.

We need to make sure that we're looking across the Nation at our oil reserves. Between our oil, our natural gas, our oil shale reserves, we have the largest resources in the world. We've just got to be willing to tap into them. We need to shorten the time on permits. We need to reduce the regulations so we can actually go in and get the oil so that we're not dependent on other nations.

These aren't Republican jobs. These aren't Democrat jobs. These are American jobs for which we've got to be willing to go out and stand strong on cutting the regulation, on getting the right economic policies, on getting the permits moving again so that we can actually utilize our natural gas, utilize our oil, utilize our oil shale so that we're not relying on other nations, utilize our timber harvesting plans so that we don't see the devastation when

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the fire hits us, and utilize our water so that we can actually get agriculture moving again.

Ladies and gentlemen, we've got a job to do here in Congress. We've got to get American jobs moving again. That's going to be by utilizing our natural resources and by getting Americans willing to take the risk on our economy: willing to invest, willing to borrow money to start a new business, and willing to go out there and promise new employees, not only that they'll have a job, but a long-term job.

We have the power to do that here in Congress.

We need to have the will.

HONORING THE LIFE OF DON RICARDO ALEGRIA

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

Mr. GUTIERREZ. Madam Speaker, I rise today to honor a towering figure in Puerto Rican history and culture. Puerto Rico and the world lost a pioneering and leading scholar last week with the passing of Don Ricardo Alegria.

Don Ricardo Alegria devoted his long life to the affirmation of Puerto Rican national identity and culture. His study of the history and culture of the Taino Indians of Puerto Rico was groundbreaking work. By helping Puerto Ricans understand our Taino, African and other heritage, as well as many other important aspects of Puerto Rican history and culture, Don Ricardo helped us all to understand better who we are, where we come from and what being Puerto Rican truly means.

But Don Ricardo Alegria was not only a scholar whose work was essential to the Puerto Ricans' understanding of our history; he was a determined and proud man who refused to let our culture be forgotten or destroyed. He was a founder and the executive director of the Institute of Puerto Rican Culture and of many other important research, cultural and educational institutions. In this role, he was a warrior, defending our cultural heritage.

It is not an exaggeration to say that, without Don Ricardo's leadership and tenacity, the historic buildings and walls of Old San Juan, which are loved by Puerto Ricans and visited by tourists from around the world, may not be standing today. He led the fight to preserve Old San Juan and to make sure its historic significance was understood by all.

□ 1010

Ricardo Alegria was an example of what makes us all so proud to be Puerto Rican. He looked to a better future while treasuring our past. He embraced what makes Puerto Ricans unique, and he understood that we have our own identity; and we should never run away from it. We should celebrate it. And without history and without question, he loved our people and our history. I offer Don Ricardo Alegria my humble thanks and gratitude for his commitment to Puerto Rico, his leadership for our people, and the way he elevated our history and our culture.

At this time of crisis for Puerto Rico, a time when many in power seem to have forgotten the traits that make us ''us,'' make our island our island, and make our history our history, Don Ricardo was very supportive of my work in Congress. The inspiration of towering Puerto Rican figures like Don Ricardo motivate me to speak out on this floor and denounce attacks on the civil and human rights of Puerto Ricans. These attacks come from the same quarters Don Ricardo fought all his life. They come from those who seek to destroy the national culture and identity of the island of Puerto Rico. And they have not succeeded and will never succeed because there will always be Puerto Ricans like Don Ricardo standing defiantly, proudly, and courageously in their way.

This fact was driven home right here in Congress just yesterday, Madam Speaker, at a well-attended briefing conducted by the ACLU, the National Institute for Latino Policy, and the Puerto Rican Legal Defense and Education Fund.

As part of their briefing, these organizations showed a video depicting the many scenes of violence by the police of Puerto Rico against unarmed and peaceful protestors. I have seen this video, and I am certain that many Members that see these images would be moved to indignation and action. That these scenes happen under the American flag and that these abuses are committed against American citizens is simply shameful. If any of my colleagues saw these images, I am sure they would feel the same indignation I felt when I saw them.

Madam Speaker, it is out of my deep concern for the people of Puerto Rico that I wish to inform my colleagues that I have sent a letter today to Attorney General Eric Holder. This letter requests the release of any and all documents and information regarding contacts by officials or representatives and lobbyists of the Government of Puerto Rico with the U.S. Department of Justice and their civil rights division into the very serious allegations of systematic police brutality in Puerto Rico, an investigation that is over 2 years old.

I have requested this information under the Freedom of Information Act because public reports allege that the Government of Puerto Rico is using its well-paid top Washington lobbyists and other resources to thwart the release of the Justice Department reports. The reports are based on lobbying disclosure forms that do not give much detail on exactly what the lobbyists are doing for the Government of Puerto Rico. Given the recent history of the ruling party of Puerto Rico trying to act with impunity and in secrecy, these published reports have raised serious doubts in my mind.

So, Madam Speaker, I want to make it clear, while there may not be transparent and open government in Puerto Rico or a Freedom of Information Act there, as far as the Federal Government is concerned, the secrecy and the impunity of the regime in Puerto Rico ends here.

CONCEALED CARRY LAWS

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

Mr. KINZINGER of Illinois. Madam Speaker, last Friday something actually very great happened. Wisconsin became the 49th State in the Union to approve concealed carry. Well, that means that leaves my home State, Illinois, as the only State to oppose that constitutional right to concealed carry.

The action taken by Governor Scott Walker was a major step for Wisconsin, but the State of Illinois now remains the only State in the Nation to prohibit concealed carry and deny law-abiding citizens' rights to protect themselves or their family.

The Constitution of the United States and 44 States, common law, and laws of all 50 States recognize the right to use arms in self-defense. In 1895, the Supreme Court case, Beard v. U.S., the Court approved the common law rule that a person ''may repel force by force'' in self-defense and concluded that, when attacked, a person is ''entitled to stand his ground and meet any attack made upon him with a deadly weapon.''

In 2008, the Supreme Court ruled in District of Columbia v. Heller that ''the inherent right of self-defense has been central to the Second Amendment right,'' and that the amendment protects ''the individual right to possess and carry weapons in case of confrontation.''

Right-to-carry laws have proven to be effective. Since 1991 through 2009, 23 States have adopted the right to carry, and violent crime rates have declined 43 percent. This all comes on the heels of a five-fold increase in the number of shall-issue conceal carry States from 1986 to 2006. Along with this, since the 1980s when the conceal carry issue started, the number of conceal carry permit holders is estimated to have risen from 1 million to 6 million people. Of major note, murder has declined 49 percent. Also, the city with the highest gun homicide rate in the Nation, Washington, D.C., happens to also have the strictest gun control.

The lowest rate of gun homicide in the Nation is in Utah, which has some of the most liberal policies when it comes to conceal carry issues. According to the FBI, total violent crime and murder dropped more than 6 percent during the first half of 2011. Anti-gun advocates are in disbelief over this

number as not only is the Nation going through an economic downturn, but they've been seeing that the amount of Federal background checks done in order to purchase firearms broke record levels with more than 14 million occurring last year alone. That's a 55 percent increase in firearms purchases in just 4 years, but it has not even led remotely close to the doom and gloom havoc being peddled by anti-gun advocates.

Criminologist Gary Kleck analyzed National Crime Victimization Surveys and concluded that robbery and assault victims who used a gun to resist were less likely to be attacked or to suffer an injury than those who used any other methods of self-protection or those who did not resist at all. Unfortunately, in my home State of Illinois, Governor Quinn took it upon himself in May to determine what's best for Illinois. Rather than listening to the voice of the Illinois constituency, Quinn made desperate 11th-hour phone calls to sway Illinois Democrats to his side and block vital legislation to allow concealed carry in Illinois. He knows better than 49 other States, and he knows better than top law enforcement organizations like the Illinois Association of Chiefs of Police, the Illinois Sheriffs Association, the Chicago Police Lieutenants Association, and the Chicago Police Sergeants Association.

Quinn doesn't get it, but 49 other States do and so do I, which is why I am a proud cosponsor of H.R. 822, the National Right-to-Carry Reciprocity Act of 2011, which was introduced by my colleague, Representative CLIFF STEARNS of Florida. This bill allows any person with a State-issued concealed carry to carry in any other State. Therefore, for the 49 States that issue concealed carry permits, their State laws would apply.

In Illinois, I refuse to deny visitors the right to carry weapons when they are authorized to do so. We must follow the example set by every other State in this Nation and allow law-abiding citizens to own and bear arms. We must restore, defend and preserve this constitutional right at all government levels.

REDUCING THE FEDERAL DEFICIT

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

Mr. MCDERMOTT. Madam Speaker, over the past several weeks, we've been debating ways to reduce the Federal deficit.

Republicans have said that everything is on the table and that nothing is sacred, but that just isn't true. The Republicans refuse to cut tax giveaways to the wealthiest special interests in this country. And when it comes to discussing the merits of continuing our efforts in Afghanistan, the Republicans clamor to defend it despite our fiscal mess.

I want to remind my Republican friends, the situation we are in now is not new. Throughout history, from Rome to the Ottoman Empire to the Soviet Union, the overextension of military and protracted struggles in foreign countries have crippled empires.

Some historians have credited Ronald Reagan for the Soviet Union's collapse, but what really bankrupted the Soviet Union was its wars. Just like us, they paid a crushing price both financially and morally in Afghanistan. Overextending geopolitically comes at a cost over time, and any nation that thinks otherwise is setting itself up to repeat the mistakes of the past.

As of today, the United States has spent more than 2½ times the percentage of GDP on Afghanistan than the Soviet Union spent of its GDP during its 9-year war in Afghanistan. Public polls are clear: Americans know the cost of the war in Afghanistan is unsustainable and want us to withdraw as soon as possible.

And when it comes to cutting back on support for the neediest Americans, we can't seem to face the urgent reality that the money that we spend abroad needs to be spent here at home. The financial facts tell the story. Taxpayers in my district in Seattle have spent $1.1 billion for the Afghanistan war to date. Think about that: one city, $1.1 billion. For the same amount of money, we could provide health care for 700,000 children from low-income families, or put 125,000 kids in Head Start, or health care for 150,000 more veterans.

□ 1020

Imagine how different it would be if States like Wisconsin, which faces a $3.6 billion budget deficit, did not have to bear the cost of the war in Afghanistan.

So the question before us is simple: What is our priority? Fighting a war with no end or investing in the American people? The answer lies in what kind of country we are, what legacy we leave behind to our children and our grandchildren, and transcending political decisions toward a common commitment to make America strong again.

America will cease to be a world power if we fail to support the domestic foundations of our Nation. Yet the House does not even blink as it approved a $650 billion defense budget last Friday. While the Republicans were cutting any spending that helps people, they didn't so much as flinch as they threw hundreds of billions of dollars into the bottomless pit of the defense budget.

We need to stop seeing the world through the lens of constant threat and foster a sense of the common good and shared responsibility. That, not our military footprint, is what will advance our interests in the world and make us confident again.

In a national poll conducted last year, 47 percent of Americans rated China's economy as the strongest economy in the world. Our crumbling roads reflect our crumbling self-confidence. Our national prosperity is vital to our national security, and that is why I believe getting out of Afghanistan must be the center of reducing our deficit. Anything short of that would ignore the fiscal reality and the will of the American people to end the Afghanistan war.

We have a choice before us: Continue the war and continue downhill, or stop the war and start up the hill to regain what we've lost over the last few years.

NEW TAXES KILL JOBS

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

Mr. WILSON of South Carolina. Madam Speaker, before I begin, I would like to join with my colleague from Illinois, Congressman ADAM KINZINGER, in congratulating the people of Wisconsin on passing a concealed weapons bill. I think they'll find, as we have found in South Carolina, that having a concealed carry permit—we call it Law Abiding Citizen's Self-Defense Act—that the consequence of this a number of years ago now has been a reduction in crime. In fact, many of the people who—as I was a floor leader in the State Senate to propose the concealed carry law, so many of the people who opposed it, and they opposed it thinking that they were doing correctly, have subsequently told me that they really are thrilled that now it has passed, that it, indeed, has promoted a reduction in crime in our State. And I know the same will be true in Wisconsin and possibly one day in Illinois.

Madam Speaker, time is running out for the American people. With just weeks to go before our country defaults on its debts, liberals in Congress continue to roadblock any progress on real spending cuts. The American people want to see spending reforms. The administration can cut other Federal spending before it allows a default on the U.S. debt. Americans understand that the Federal Government is burdening future generations with debt by borrowing over 40 cents of every dollar it spends. Senior citizens are at risk with the value of the dollar in question.

Americans want to see meaningful spending reform. Liberals want to play political games. Republicans have been trying to lead on spending reform. From the moment this new Congress has been in session, House Republicans have passed numerous bills that cut spending, curb government growth, and encourage job growth for American families. The latest news on the debt limit talks shows yet again how out of touch this current administration is with the American people. Cut the spending. Do not impose new taxes which will kill jobs which need to be developed by small businesses.

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

HEALTH CARE IN PUERTO RICO: HISTORIC PROGRESS AND CONTINUING CHALLENGES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. Madam Speaker, I rise this morning to discuss the issue of Federal support for health care in Puerto Rico and the other U.S. territories. This is a story of unprecedented progress, but it is also a chronicle of continuing challenges.

While the treatment of the territories under Federal health care programs has substantially improved in recent years, serious disparities still remain. The consequence of these inequalities is not difficult to discern.

Last month, a study found that patients at hospitals in the territories fared significantly worse than patients at hospitals in the States. The study cited funding disparities under Medicaid and Medicare along with the territories' lack of voting representation in the Federal Government as likely causes for these discrepancies. The study concluded that ''eliminating the substantial quality gap in the U.S. territories should be a national priority.''

Consider Medicaid, which helps our most vulnerable citizens. Medicaid has always operated differently in the territories. The Federal Government pays at least 50 percent of the program's cost in the wealthiest States and upwards of 80 percent in the poorest States. By contrast, Federal law imposes an annual cap on funding in the territories. Historically, Puerto Rico's cut was so low that the Federal Government paid less than 20 percent of Medicaid costs on the island in any given year. Inadequate Federal funding has made it difficult for Puerto Rico to provide quality health care to its low-income population.

If the purpose of this policy was to save the Federal Government money, it was shortsighted. Between 2005 and 2009, over 300,000 Puerto Rican residents moved to the States. Many were men and women of limited means who, upon migrating, immediately became eligible for full benefits under Medicaid and other Federal programs.

Last Congress, my fellow Delegates and I fought hard to ensure that our constituents were treated in an equitable manner in the Affordable Health Care Act. Under the law, funding for Puerto Rico's Medicaid program will triple over the next decade. Though it is far less than Puerto Rico would receive if treated like a State, this increased funding does represent a significant step towards parity.

But the Affordable Care Act did not eliminate serious disparities facing my constituents. For example, Puerto Rico is still subject to unequal treatment under Medicare. Although island residents pay the same payroll taxes as their fellow citizens in the States, ill-conceived Federal formulas provide lower Medicaid reimbursements to Puerto Rico hospitals.

Despite the pressing need to correct all these disparities, I know that to legislate effectively you must choose your battles wisely, especially in a fiscal climate as challenging as the one our country faces today. Therefore, I have introduced three health bills that would correct unprincipled inequalities and do so in a fiscally responsible way.

The first bill amends the HITECH Act, which provides payments to doctors and hospitals that become users of electronic health records. The act inadvertently excluded Puerto Rico hospitals from the Medicare payments, and my budget-neutral bill would include them. My second bill, which has bipartisan support, would modify a unique Federal law that makes it more difficult for Puerto Rico seniors to enroll in Medicare part B and would reduce the penalties for late enrollment. And my third bill would make it possible for territory Medicaid programs to cover breast and cervical cancer treatments by placing Federal contributions for those services outside the annual cap.

So I have filed these three cost-conscious bills to address some of these disparities we are facing, and I hope to have the support of my colleagues when the time comes to consider them.

Now a word about the current state of affairs in Puerto Rico; after all, I represent Puerto Rico in this Congress. And if we're going to be talking about a crisis in Puerto Rico, I'll tell you about a crisis in Puerto Rico. It is the high incidence of violent crime that is tied to the drug trafficking that is happening in the Caribbean. And I, for one, am doing something productive. I am seeking additional resources because it is in the interest of both the United States as a country, as a whole, and Puerto Rico to increase the presence of Federal law enforcement officers in Puerto Rico.

While I want civil rights to be protected all over America, what I am doing is supporting the ongoing investigation of the Department of Justice. But I am not denigrating the integrity of those who put their lives at risk to defend the safety of our citizenry.

□ 1030

MOURNING THE LOSS OF STAFF SERGEANT MICHAEL GARCIA AND SERGEANT CHRISTOPHER SODERLUND

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

Mr. FLEMING. Madam Speaker, I rise today to mourn the loss of two Louisiana soldiers from Fort Polk who recently died in Logar province, Afghanistan, during Operation Enduring Freedom. Staff Sergeant Michael Garcia of Bossier City and Sergeant Christopher Soderlund of Pineville, Louisiana, made the ultimate sacrifice by giving their lives in service to this Nation.

It is at this point that important decisions involving the defense of our Nation become most personal. Instead of thinking in abstract terms like casualties, weapons, equipment, we are confronted with the reality that these are not just soldiers; they are in fact our friends, our neighbors, our sons, fathers, brothers.

Staff Sergeant Garcia and Sergeant Soderlund represented the very best America has to offer. Their contribution serves as an enduring reminder to all Americans that the freedoms and liberties we hold so dear are afforded to us only by those who wear the uniform and the loved ones who support them.

Let us pause today to remember the sacrifice these brave soldiers made on behalf of this great Nation.

BULB ACT

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

Mr. CONNOLLY of Virginia. Madam Speaker, we are 2 short weeks away from defaulting on American debt, which would devastate our economy and plunge this country, if not the global economy, into a steep recession. We are engaged in three overseas wars as part of the broader struggle to defeat terrorism. Century-old autocracies are crumbling in the Middle East. Extreme drought is destroying farmers' livelihoods across the Southeast, Texas, and Oklahoma, while floods of biblical proportions inundate the upper Midwest. Unprecedented tornadoes have killed hundreds of people in Missouri, Alabama, and Virginia, while the melting of glaciers and polar ice continues to accelerate. Meanwhile, our economy stagnates for lack of any new congressional action to expedite growth.

In response to these existential threats at home and once-in-a-lifetime opportunities for democracy abroad, the Republican leadership has brought to the floor a bill to repeal a nonexistent ban on incandescent light bulbs passed by a Republican Congress and signed by a Republican President, President Bush. That's right, light bulbs. Connoisseurs of Internet hearsay are aware that Tea Party conspiracy theorists think President Obama is trying to outlaw the incandescent light bulb even though President Bush signed that law into enactment. Cooler heads, such as representatives of every major light bulb manufacturer in America, from Philips to Johnson Controls, actually support the light bulb efficiency standards because they provide a competitive advantage for American manufacturers relative to their Chinese competitors, who produce shoddy, light-inefficient bulbs. Who

knew that the Tea Party contained so many Manchurian sympathizers who have hidden their proto-internationalist agenda beneath the folds of the Don't Tread on Me flag?

As we have heard, those who would repeal the light bulb efficiency standards believe we are ''taxed enough already.'' Apparently the lowest Federal tax burden in 60 years has left these zealots with extra disposable income, and they want to spend it on inefficient light bulbs. In fact, repeal of the light bulb standards would give Americans the liberty to spend $85 extra per year on light bulbs to produce no additional light. It's hard to understand how ideologues in this House can suggest imposing $85 per year on their constituents in order to buy light bulbs which consume more electricity than necessary.

Those who are baffled by Republican support for this anachronistic incandescent bulb tax may want to refer to the legislative record of the House over the last 7 months. The Republican Party has deviated so far from its historic support for conservation that it now supports legislation that would allow air and water pollution with impunity. The new Republican Caucus supports legislation like the BULB Act, which we dealt with last night, and retrogresses to the time of Thomas Edison and the invention of the light bulb. These Republicans sound like flat earthers, and they must really mean it when they call themselves originalists.

This entire situation would be humorous but for the gravity of the threat our Nation faces, from climate change to the debt puzzle, or the opportunities that we will forgo in the Middle East because this House is distracted by a paranoid attack on light bulbs.

STOP SUBSIDIZING ETHANOL

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

Mr. DUNCAN of Tennessee. Madam Speaker, there is much discussion these days about ethanol, and for far too long the Federal Government has been subsidizing ethanol production in a very big way. Three years ago, Time Magazine called ethanol and other energy biofuels the clean energy scam. Yet 3 years later, we are dumping more money than ever into the program. It is time to admit that the ethanol program has been a failure.

A study mentioned in a recent column in the Washington Times said that our ethanol policies, if not changed, will cost American consumers more than $500 billion in the 10 years from 2008 to 2017. According to Time magazine, the biofuel boom is doing the exact opposite of what it was intended to do. The article calls corn ethanol environmentally disastrous.

We went heavily into ethanol because it was supposed to be good for the environment. The very powerful environmental lobby pushed hard on this. Now we have found that it has done more harm than good, even to the environment. This just goes to show that when someone says something is good for the environment, it is usually because they are going to make money off of it or are going to increase contributions to their organization.

I have an even greater concern that hits home with every American. The ethanol program is an economic disaster. We were promised that using ethanol to fuel cars would reduce gas prices. We were told it would reduce our dependence on foreign oil. If you look at the situation today, gas prices are close to $4 a gallon, or even higher some places, and we are still at the mercy of foreign producers to supply most of our oil. The only thing the ethanol program has done is raised the price of groceries.

Hardworking Americans are paying more for milk, meats, and everyday items they need from the grocery store. This is because the price of corn has doubled in less than 2 years. In 2009, corn cost $3.30 a bushel. Today it costs roughly $7 a bushel. When the price of corn increases, it causes a chain reaction. Corn is used to feed livestock, which increases the price of beef and dairy products. Corn syrup is found in everything, from cereal to salad dressing. Nearly everything at the grocery store costs more today than it did just 1 year ago.

To turn corn into ethanol, it takes diesel fuel to run the machines, fertilizer, and months of hard work from farmers. A study by Cornell University estimates that it costs $4.50 to produce 1 gallon of ethanol. A gallon of pure ethanol has only about two-thirds the energy of a gallon of gasoline. Yet like a lot of things we tend do here in Washington, the cost is too high and average Americans are the ones paying for it. In 2010, the Federal Government spent nearly $8 billion to subsidize the ethanol program. That number is probably closer to $12 billion when you count money from State and local governments.

The bottom line is that corn should be used to fuel our bodies, not our cars.

I would like to take a moment to tell you about a friend of mine, Harry Wampler. Harry Wampler is the owner of Wampler's Farm Sausage Company in Lenoir City, Tennessee.

The Wampler family started this company in 1937, one of the great small business success stories in my district. However, in 2010, Wampler's Sausage lost money for the first time. They are now losing money every month.

They are not losing money because all of a sudden they are no longer a great company. They are losing money because the cost of raw materials is far too high. Instead of paying 35 cents a pound for hogs like they did in 2009, they pay more than 50 cents a pound, a more than 40 percent increase in just 2 years—40 percent increase in 2 years. To keep up, meat producers like Wampler's are forced to raise prices in the grocery store.

The reason this is happening is simple. It takes a heck of a lot of corn to produce ethanol. The study I mentioned earlier by Cornell estimated that in 2009, one-third of U.S. corn was used to make ethanol.

□ 1040

That is a lot of corn, but it only reduced America's oil consumption by 1.4 percent. In fact, if we were to take all of the corn produced on American farms and convert it to ethanol, it would replace a mere 4 percent of U.S. oil production—a lot of corn with very little result.

Environmentalists shouldn't be happy with the ethanol program either. In this country and around the world, we are destroying forest wetlands and grasslands to make room to plant more corn. The program doesn't make sense for the economy or the environment, even though it was forced on us primarily by environmentalists.

A lot of politicians are afraid to admit the ethanol program was a mistake because they are afraid to offend the farm lobby, and anyone considering running for President may be afraid to offend corn farmers in Iowa. But, Madam Speaker, we can no longer afford to waste money on this program that does not work.

The Ethanol Program does not solve our energy crisis or eliminate our dependence on foreign oil. The only thing it does is drive up grocery prices for everyone in the country.

DON'T TREAD ON D.C.

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from the District of Columbia (Ms. NORTON) for 5 minutes.

Ms. NORTON. Madam Speaker, I come to the floor to alert Members who interfere with the local funds of a local jurisdiction, not your own, in this case the District of Columbia, that this year, it will be highlighted in your own district.

The debt limit discussions spotlight our differences, but one idea always has enjoyed the broadest support in this country and in this House. The Federal Government does not interfere with local matters, especially local funds not raised by the Federal Government.

The Framers formed a federal government only after trying a confederation, but it became clear that there were some matters of overarching concern that could be arbitrated only by a true national government. But, they were at great pains to reserve maximum freedom at the local level where people live.

Nothing is more local than the local funds a jurisdiction raises on its own from its own local taxpayers. You raise the funds, you get to say how they will be spent.

The principle applies to all. No second class citizens on local matters, especially local funds, and that includes

the 600,000 residents of the District of Columbia.

Congress ceded its power to run the District of Columbia in 1973 when it passed the Home Rule Act. It still approves the D.C. budget, but it does not change that budget.

Members of Congress, unaccountable to the electorate of the District of Columbia, have no right to use the budget process to direct spending away from matters that may be controversial to you but not to our own local jurisdiction. That is tea party doctrine; that is a principle of the Democratic Party.

License was taken to put controversial attachments on the 2011 budget deal and the world watched as the entire executive and legislative branches of the local government here were arrested in an act of civil disobedience.

This time a coalition of national organizations with millions of members are taking preventive action, and I quote from a letter all of you will receive: ''Should lawmakers continue to advance attacks on D.C.'s autonomy, we will make certain that our members in every district know how their representatives are spending their time in Washington, meddling in the affairs of D.C. residents rather than focusing on the Nation's true pressing business.''

Meddle with D.C.'s local funds, we will pull the covers off in your own districts.

Congress, this year ''don't tread on D.C.''

DEBT CEILING

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

Mr. BROUN of Georgia. Madam Speaker, this debt ceiling is starting to feel like déjà vu.

If you think back to 1990, President George Herbert Walker Bush agreed to $2 in spending cuts for every dollar in tax hikes. He agreed to this with the congressional Democrats, but that's not what ended up happening. All of the Democrats' tax hikes went into effect, but the promised spending cuts never materialized. We cannot fall for this trick again, and that's the same trick that we see from the people on the other side, my Democratic colleagues and the President.

Higher taxes do not lead to more government revenue. We have seen proof of this in years past. Instead of raising taxes, let's leave money in the hands of small businesses, the job creators, so that they can create jobs. More jobs means more revenue and less deficit.

Higher taxes means more people out of work and higher debt. In fact, President Obama admitted in 2009 that ''the last thing you want to do in the middle of a recession is raise taxes.''

And, in the past, liberals in Congress have adamantly spoken out in opposition to debt ceiling increases. Then-Senator Obama said in 2006 that a debt limit increase was ''a sign of leadership failure.''

I could not agree more. It's a time for lawmakers to stop talking out of both sides of their mouths and do what is best for the economy, for our Nation, and the American people.

Over the last 10 years we have raised the debt ceiling 16 times. It hasn't worked, and now we are at the end of that road.

We need to try something new so that we can get started actually paying down our enormous debt. We must get our country on an economically viable course and create jobs in the private sector. That's why I have introduced H.R. 2409, the Debt Ceiling Reduction Act, which would lower the debt ceiling to $13 trillion, and that would force politicians in Washington to make the cuts to our budget that our economy so desperately needs and start figuring out how to pay off this unsustainable debt that we have created.

Madam Speaker, I hope that my colleagues on both sides of the aisle will cosponsor and support this legislation. It's a great way to both create jobs and to create a stronger economy.

RAISING LEADERSHIP SUPPORT

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

Ms. JACKSON LEE of Texas. Madam Speaker, I wish to raise concerns this morning that are international and domestic.

I rise today to ask the question, when will Dr. Assad, the President of Syria, begin to act in a manner that respects the human dignity of the people of Syria. It is a tragedy to watch as the Arab Spring continues in many countries that I have visited and to see one country that one had hoped would realize that a civilized government respects the dignity of its people.

Syrian Americans are crying out and reaching out to Members of Congress and leaders across the Nation to attack this horrific violence that is occurring in Syria: The mutilation of a 13-year-old boy; the slaughter of individuals in the street; and, seemingly, the absolute arrogance of the President of this Nation. Many of us have thought that Dr. Assad, the son of the former president, would recognize that the 21st century does not in any way tolerate the kind of abusive and oppressive leadership that has occurred in the past and that it is high time for the leadership to be vested in the people.

Now, we know that there has been a constant tension and brutality as it relates to Israel and the border and Hezbollah, something that has to be addressed, and I have cried out over and over that the dominance of Hezbollah and Syria must cease as well for any entity that does not recognize the existence of any other State, no matter what the State, and in this instance—Israel, it is an absolute abomination.

But now, in American vernacular, they have added insult to injury, killing their people, blood in the streets, ignoring the international calls. So I am gratified for the stance that we have taken, and I want it to be a stronger stance, a stronger position.

□ 1050

How dare you attack the United States Embassy. How dare you violate international law that allows sovereign nations to exist peacefully among themselves. How dare you confront the United States flag by means of the United States military. How dare you violate the human dignity of your people.

And so I'm calling upon world leaders, the United Nations and all of those who have the responsibility of protecting the human rights of all people to denounce the actions of President Assad, denounce the actions of those violent and abusive people in the streets who are killing their own people, and listen to Syrian Americans who have asked for a peaceful resolution. No, we are not calling for war despite the tragedies in Yemen where the president refuses to step down, the conflicts in Libya where the president refuses to step down, the difficulties in Egypt and on and on and on.

But as for the people of that region, we should take heart in America that they have attempted to create a democratic community and a nation of states. The Arab League needs to speak. And we need to denounce the President of Syria and ask him to step down.

That leads me to America's role, Madam Speaker, in this crisis that has now been made by our Republican friends. To my colleagues, America is not broke. We're not in the same posture as some of our European friends. But we are in a ridiculous posture because there's no way in the world that families who are trying to make ends meet don't also attempt to seek revenues—a new job or a raise or multiple jobs. How many of our families are doing that?

No, we are not raising taxes on the middle class. We are, in fact, trying to establish a quality of life for the middle class in protecting Social Security, Medicaid and Medicare. Don't laugh at those. Those are infrastructures that have allowed senior citizens to live. It has allowed our hospitals to stay open and our doctors to work.

And yet we have, in the other body, an individual who has a ludicrous and absolutely absurd proposal that's not going to give anybody relief—let the President of the United States sign off on the debt ceiling. We haven't even tested whether that is constitutional. In fact, we don't know if the debt ceiling itself is constitutional. And so I'm arguing and begging for leaders of consciousness to sit down and work on behalf of the American people, raise the debt ceiling and stop the foolishness.

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 52 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 Patrick J. Conroy, offered the following prayer:

God of the universe, we give You thanks for giving us another day.

We ask and will never stop asking that You bless the Members, men and women of the people's House. We remember that in the very first Congress there were problems whose possible solutions seemed to generate division in the Congress. Our national ancestors were able then to overcome their differences to work toward a common goal. Our very existence is proof that such cooperative work can succeed.

Send Your spirit of wisdom upon the Members during these contentious days. Grant them the courage to work together with charity, to join their efforts to accomplish what our Nation needs to live into a prosperous and secure future.

May they understand that they, like their political forebears, make history in the work they do, and continue to build the foundation upon which our Republic rests. Help them to build together an ever stronger foundation.

May all that is done this day in the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. QUIGLEY 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 requests.

JOBS

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

Mr. RIGELL. Mr. Speaker, our friends and neighbors are hurting. Last week the Department of Labor told us that the unemployment rate has climbed to 9.2 percent. That's unacceptable. This number reflects, in part, the policies of an administration that is embracing bureaucracy and red tape more than entrepreneurship and common sense. Let me give you a local example.

A respected developer in my district, he has got a job-creating project that is ready to go and has the full support of the City of Virginia Beach, which has already invested millions of dollars in infrastructure improvements for the project. And unlike so many of the projects that have been talked about, this really is shovel ready. HUD just needs to give it a green light. But all we're seeing is red because HUD is locked into a bureaucratic culture evidenced by a rigid first-in, first-out policy. It's resulted in an expensive 6-month delay. It's putting the entire project in jeopardy.

America can't afford even one more month of these kind of jobs numbers. So to the leadership of HUD, I am asking you, work overtime. Do what you must to turn these applications around in a timely manner and you'll unleash the greatest job-creating engine the world's ever known—the American entrepreneur.

RECOGNIZING DR. PATRICIA FLANAGAN

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

Mr. CICILLINE. Mr. Speaker, I rise today to recognize Dr. Patricia Flanagan, Rhode Island's nationally recognized expert in the area of teenage parenting and adolescent medicine. Dr. Flanagan recently received the 2011 Silver Rattle Award from the Rhode Island Mothers, Healthy Babies Coalition for her years of leadership and dedicated service to Rhode Island's teen mothers and children.

Dr. Flanagan is rattling the system with her groundbreaking ideas and service to the Hasbro Children's Hospital community. She serves as the chief of clinical affairs at Hasbro; the president of the American Academy of Pediatrics, Rhode Island Chapter; and a professor of pediatrics at Brown University. As director of the Teens with Tots Clinic at Hasbro Children's Hospital, she leads a team in providing social and medical services to nearly 300 teen mothers and their children, following their lives for up to 5 years.

Today I am pleased to congratulate Dr. Patricia Flanagan for her great contributions to the field of maternal and child health as a pediatrician, a researcher, a teacher, and an advocate.

QE3 AND INFLATION

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

Mr. BURTON of Indiana. Mr. Speaker, today the Fed Chairman, Mr. Bernanke, is indicating they are going to increase the money supply again. They call it QE3. What the American people need to know, that means they are going to print more money. And when they print more money, that makes the value of your dollar and your currency worth less. That means milk is going to cost more, bread is going to cost more because the Federal Government's not living within its means and they're going to print more money that's going to make all of our currency worth less.

I want to tell you what's happened in other countries when they've done this. In Hungary in 1946, the price of everything doubled every 16 hours. In Yugoslavia in 1994, the prices doubled every 34 hours. In Germany in 1923, the price of everything doubled every 4 days. In Greece in 1944, it doubled every 4 days. In Zimbabwe in 2008, it doubled every 24 hours.

We need to stop this printing of money. We need to control spending in this body instead of letting the Fed print more money, which is a hidden tax on everybody in this country.

CLAIMING VICTORY AND SURRENDERING

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

Mr. COHEN. Mr. Speaker, our Nation and our world is at an economic crossroads, with the debt ceiling needing to be raised by the 2nd of August. Fortunately, I think some common sense appears to be coming from the Senate from Senator MITCH MCCONNELL: the idea of surrendering but claiming victory, more noble than admitting defeat, and much more noble than putting this Nation and the world on an economic precipice all based upon the resistance of putting tax increases on the millionaires and billionaires in this Nation.

People who have benefited and haven't hurt one iota are being told by the Republicans that they will not agree to a compromise if it causes an increase in taxes for the millionaires and billionaires, those tax breaks from the Bush years that helped cause this debt problem and caused the recession.

So I praise Senator MCCONNELL for claiming victory and surrendering in a noble way and keeping our economy. Hopefully, this project will be successful and save us from having a catastrophic Wall Street and bond market collapse.

BALANCED BUDGET AMENDMENT

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

Mr. STUTZMAN. Mr. Speaker, in spite of the empty rhetoric of politicians who promise now and pay later, not even the United States Federal Government can run from the simple principles of economics. When a family continues to spend more than they make, debt will crush them. It will strain their relationships and consume their thoughts. Parents look at their children and wonder how they will afford college.

Motivated by their love, Mom and Dad pull out the checkbook, they go to the kitchen table, and they make a plan. What are we spending now? How can we spend less? Where can we make do? And how can we put us back in the black? Mr. Speaker, that's called a budget. It works in Indiana. And if it works well enough for us Hoosiers, it's good enough for the Federal Government.

Unfortunately, it's been over 800 days since the Senate even passed a budget. Both parties have their fair share in the blame for running us into the red. A balanced budget amendment, however, ought to get bipartisan support here in Washington.

Now is the time for action.

□ 1210

DIRTY WATER

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

Mr. QUIGLEY. Mr. Speaker, today the House will take up the so-called Clean Water Cooperative Federal Act, a bill that would more aptly be named the ''Dirty Water Act.''

Rarely does this body so blatantly attempt to deceive and misinform than in the case of a bill that in neither spirit nor practice seeks cleaner water.

This legislation would render the EPA toothless to enforce the Clean Water Act, giving polluters more leeway to break from clean water standards and make it more difficult for the Army Corps of Engineers to receive constructive advice from environmental experts during the permit process.

Additionally, the bill would make it impossible for the EPA to adjust clean water standards accordingly if new science emerges, an appropriately anti-science provision for those who have promoted a head-in-the-sand attitude toward addressing our environmental problems. We cannot stand by quietly during this attempt to lower water quality standards under the Orwellian mantle of ''clean water,'' and I hope this body does not fall for the ''Dirty Water Act.''

NO-JOBS AGENDA

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

Mr. SIRES. Mr. Speaker, we are now in week number 27 of the Republican no-jobs agenda.

It is apparent that after last week's disappointing jobs report, that job growth should be our number one priority. But my colleagues across the aisle seem to have not received this message.

Since January 1, not a single bill focused on job creation has come to the floor. Instead the majority has chosen to have focus on legislation that would roll back energy efficiency standards, clean water protections, and health care improvements.

Now, it seems the majority is threatening to hold the economy hostage. They are refusing to raise the debt ceiling unless we continue providing tax breaks for Big Oil and companies that ship jobs overseas. Instead of focusing on an agenda that balances the budget on the backs of America's middle class and seniors, this Congress needs to focus on a plan that will put America back to work.

My Democratic colleagues and I launched an ambitious Make It in America agenda that will rebuild our manufacturing base, create jobs, and position us for long-term economic competition. Mr. Speaker, the millions of unemployed Americans need us to work together to come up with a viable solution to job growth and rebuild our economy.

MAKE IT IN AMERICA

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

Mr. WALZ of Minnesota. Mr. Speaker, I too rise today because it's obvious to all of us we need initiatives that make America more competitive.

We need to tap into the can-do spirit of Americans and out-innovate the rest of the world, all those things that made this country so great. We must be able to out-innovate, out-educate, and out-build the rest of the world.

As my colleague said, we need to Make It in America. And, yes, we can do it at the same time that we address long-term national debt. We can cut waste and balance the budget, but we also have to ensure the opportunity for growth exists.

In southern Minnesota we have a rich tradition of small businesses building from the ground up, becoming world class, like the Mayo Clinic. We are leading the Nation in renewable energy, biotech research, and ways of providing food for not only this country but the world.

We can support job creation today and in the future by encouraging businesses to make products and innovate here in the United States and sell to the world. Mr. Speaker, when we Make It in America, American families will make it too.

Let's create good-paying jobs here at home, and let's rebuild the middle class.

MOURNING THE PASSING OF FORMER MEMBER FRANK MASCARA

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

Mr. HOLDEN. Mr. Speaker, it is with deep regret that I rise today to inform the House of the passing of our former colleague and my dear good friend, Frank Mascara. Frank passed away earlier this week and will be laid to rest tomorrow in his beloved Washington County in western Pennsylvania.

Frank dedicated his life to public service, serving as county controller in Washington County, followed by 15 years as a county commissioner in Washington County. He then served with distinction in this body from 1995 to 2003, where he dedicated his career to working on transportation issues important not only to his district but to the Commonwealth of Pennsylvania and all across the country.

Frank will truly be missed. We extend our thoughts and prayers to his wife, Dolores, and their children.

WHERE ARE THE JOBS?

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, I am delighted to stand this morning and simply ask the question, where are the jobs, and why have we been here for some 27 weeks and we have not been able to say to the American people we are on your side?

Let me deviate for a moment and say the debt ceiling that has consumed us is a procedural matter that has occurred over the years and decades of Presidents, Republicans and Democrats. And so let's not castigate President Obama and say a deal would not be made because he is here. Let's look at ways of finding jobs.

The energy industry, for example, has a program that says veterans to jobs, energy jobs. Let's have youth to jobs, 18–35, energy jobs, and begin to create the jobs that Democrats have been fighting for, putting on the floor of the House, job creation.

Let's have the energy industry broadly look at a tax structure that is responsible and invests back in America. And let's realize that the vulnerable cannot be the brunt of our confusion about the debt ceiling. This is not a fight that we need on behalf of the American people.

What we need to do is to say to the American people here is a job, and we are staying on this floor 24 hours a day, 7 days a week to create jobs.

Now is the time for jobs.

THE REPUBLICAN ANTI-JOB AGENDA AND THE BUDGET NEGOTIATIONS

(Mr. CONNOLLY of Virginia asked and was given permission to address

the House for 1 minute and to revise and extend his remarks.)

Mr. CONNOLLY of Virginia. Mr. Speaker, 27 weeks the Republicans have been in charge of this House, and they have not brought a single jobs bill to the floor.

Instead, House leadership has set its eyes on dogmatically asserting its goals of repealing health care reform and dismantling even the most basic of environmental regulations. Republicans have brought us so far down the path of mass deregulation that even the most basic safeguards are under threat.

They have brought forth insipid legislation to repeal bulb efficiency standards and are still fighting against essential clean water regulation.

The reality is that both of these efforts will kill jobs and hurt innovation, but the Republicans seem perfectly comfortable in sticking to the rhetoric of anti-regulation regardless of whom it harms.

We have gone so far down this path that the anti-tax dogma of the House majority is now bringing debt ceiling negotiations to a terrible, terrible brink of catastrophe. They would rather preserve tax breaks for their corporate jet and oil companies than compromise on a plan that will benefit the middle class of America by better distributing that tax burden.

It's wrong. Let's come to the table.

JOBS AND THE ECONOMY

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

Ms. CHU. Mr. Speaker, last week the Nation heard disheartening news: Unemployment is up to 9.2 percent.

But the American people don't need reports to tell them what they already know, that job growth should be Congress' top priority.

But the Republicans still aren't getting the message. It's been 27 weeks since they took control, and they have done nothing to create jobs. In fact, they haven't put a single jobs bill to a vote. Instead, they are threatening the loss of countless more American jobs by bringing the debt ceiling talks to the brink of economic catastrophe. They are holding America's economy and the American people hostage to their agenda of tax cuts for the rich and loopholes that help mega-corporations.

We need House leaders looking out for the American people and creating jobs, not cutting them. We need strong House leaders who will protect the American people, not corporate interests.

TAX MARIJUANA AND HEMP

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

Mr. POLIS. Mr. Speaker, there are ongoing negotiations about how to deal with our Nation's budget deficit. And while we need to make the tough cuts as part of the package, we also need new revenues.

One idea for new revenues would be to regulate and tax marijuana and hemp across the country. Fifteen States and the District of Columbia have various level of degrees of medical marijuana or legalized medical marijuana. And yet rather than have any tax at the Federal level that actually produces income, we effectively have 100 percent tax; namely, it's confiscated by the Federal Government if it's discovered.

By reducing the tax rate on marijuana and hemp to be in line with alcohol and tobacco, we will generate tens of billions of dollars for revenue to reduce the deficit, and it won't make marijuana or hemp legal in any jurisdiction in this country where it is currently illegal. It will simply collect revenue from the States that have chosen to go down the route of medical marijuana or marijuana legalization and create revenue for the taxpayers to bring to the table as part of this deficit deal.

I encourage my colleagues to support reducing the marijuana tax.

□ 1220

HUMAN RIGHTS ABUSES IN VIETNAM

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, on October 15, 2009, I received disturbing reports that a democracy activist, Tran Khai Thanh Thuy, and her husband, Do Ba Tan, were beaten in front of their 13-year-old daughter and imprisoned by the Vietnamese police and government. Since then, I, along with some of my colleagues here in the House, have written countless letters to the Vietnamese Government urging the government to release Mrs. Tran. I have also engaged in direct communications with Secretary Clinton strongly advocating that the United States put pressure on the government in Vietnam to release her and so many other activists who simply want human rights to improve in Vietnam.

Fortunately, last month, thanks to the work of human rights organizations and Members of Congress, Mrs. Tran was released, and the State Department was able to bring Mrs. Tran to the United States where she now resides with her daughter.

Mrs. Tran, along with other activists, were all arrested simply for wanting human rights. I urge my colleagues to please help us with this issue.

CLEAN ENERGY JOBS

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

Mr. TONKO. Mr. Speaker, I rise today to talk about jobs. My home district, the capital region of New York, is a leader in clean energy jobs. But don't take my word for it. The Brookings Institution recently completed a study that found that the capital region has the largest share of green jobs in the country. That's over 6 percent. That's over 28,000 green jobs. And not only is the region growing now, it is poised for growth in the future. Whether at Albany NanoTech, GE, Plug Power, AWS Truepower, or GlobalFoundries, the capital region is producing the high-tech manufacturing jobs of today and tomorrow.

This doesn't just impact our domestic economy. Along with L.A., New York, and San Francisco, Albany is the only other metro area contributing $1 billion annually to the clean export economy. We can ''make it in America.'' We can manufacture the best products in the world here and do so in a way that grows jobs and rebuilds our economy.

The real question is: Does this Congress believe we are worthy of that investment? I think we are. Let's invest in jobs for America, and in so doing, let's cut the deficit. This report from the Brookings Institution proves it.

THE DEBT CEILING

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

Mr. HIMES. Mr. Speaker, yesterday, I stood on this floor with 3 weeks to go before August 2, the debt ceiling, to make the argument that we should abide by the commitments that we have made in the past. Today, I heard Chairman Bernanke of the Federal Reserve say that to fail to raise the debt ceiling would be devastating for jobs.

So what's the holdup? Don't take it from me. Let me read you a paragraph from The Economist magazine. This is not Mother Jones. This is not even The New York Times. This is The Economist magazine.

''The sticking point is not on the spending side. It is because the vast majority of Republicans, driven on by the wilder-eyed members of their party and the cacophony of conservative media, are clinging to the position that not a single cent of deficit reduction must come from a higher tax take. This is economically illiterate and disgracefully cynical.''

Let me read that again: ''This is economically illiterate and disgracefully cynical.''

PROVIDING FOR CONSIDERATION OF H.R. 2018, CLEAN WATER COOPERATIVE FEDERALISM ACT OF 2011

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

call up House Resolution 347 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 347

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. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments 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. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. 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.

The SPEAKER pro tempore (Mr. OLSON). The gentleman from Utah is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members may have 5 legislative days during which they may revise and extend their remarks.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, this resolution provides for a structured rule and makes in order 10 specific amendments that were received by the Rules Committee. Nine of those were offered by Democrats; only one amendment made in order was offered by a Republican. So the vast majority of amendments that were received by the Rules Committee which are in compliance with House rules were made in order under this resolution, with most being from Democrats.

So this is a very fair rule and continues the record of the Rules Committee in this Congress of making as many amendments in order as possible which conform to House rules. I commend Chairman DREIER for continuing the record of fairness and openness in the formulation of this particular rule.

Likewise, I would also like to commend the chairman of the Transportation and Infrastructure Committee, Mr. MICA, for bringing this bill forward.

Mr. Speaker, I am a cosponsor of this legislation which seeks to restore just a little bit of balance between States and the Federal Government when it comes to implementation of Clean Water Act mandates. The Clean Water Act was originally intended by Congress to restore and maintain the integrity of our Nation's waters, which is a noble goal. Who can be opposed to that? We all support the idea of clean water in our Nation and our communities. But the Clean Water Act was originally intended to be a partnership between the States and the Federal Government and allowed the States to be authorized as the lead authority for water quality programs and permits.

Unfortunately, the bill was written in a very careless and sloppy way, and so the time has come when it can be realtered or reinterpreted as time goes on. It doesn't matter that the Constitution does not allow that. The Constitution clearly says that all legislative powers herein granted shall be vested in the Congress. What we have seen is an agency of the Federal Government start to expand beyond their responsibility because the legislation itself, the core legislation, is somewhat vague.

John Marshall once said that agencies should have the power to fill in the details. We're not talking about details. We're talking about where agencies of the Federal Government have expanded their power and responsibility far beyond what was ever intended, specifically when it relates to the value and the priority of States.

For example, the State of Florida had previously obtained EPA approval for its statewide water quality and nutrient criteria development plan, and even though the State of Florida is well under way in developing its own nutrient standards based on those earlier Federal approvals, the EPA, in 2010, decided to step in and, with what Nelson Rockefeller used to say as the deadening hand of bureaucracy, imposed its own new water quality standards for nutrients in the State of Florida; violating the implicit State and Federal partnership established under the original Clean Water Act and stomping all over the good work that Florida had been doing when it was completing its tasks based on those earlier Federal approvals.

In other States, the same thing has happened. In West Virginia, the EPA retroactively vetoed permits previously issued for coal mining operations by the Army Corps of Engineers.

□ 1230

These examples of overreaching by an administration, specifically the EPA, have upset the longstanding balance between Federal and State partners in regulating our Nation's waters and has undermined the system of cooperative federalism that was supposed to have been established in the original Clean Water Act. The EPA's actions have pulled the rug out from under the States in a very capricious and an extremely arrogant manner, have created an atmosphere of regulatory uncertainty for businesses and local governments, which now have to plan and rely on clean water permits as they think they might be used in the future.

This new uncertainty has an extremely negative impact on businesses both large and small, and has most certainly contributed to the negative impacts on the Nation's economy and the inability of this administration to create jobs and reduce employment below 9 percent in spite of massive record spending and crushing debt.

This bill is indeed common sense. It is a targeted approach at correcting some of the abuses. It is not about distribution of water. It is not actually even about the quality. It is about the process in which we are involved as to who gets to decide. And it also restates that the people who live in the States logically care about their own States and do not have to rely on the largess of the all-wise and all-important Federal Government to make decisions for them.

Passage of H.R. 2018 will not in any way gut the clean air regulations or endanger citizens into drinking dirty water. The EPA retains its ultimate authority. However, the bill has been narrowly drafted to preserve the authority of States to make decisions about their own quality standards without interference or retroactive second guessing by those inside the Beltway, bureaucrats who have little or no local knowledge of the conditions or qualities that are under their consideration.

The growing excesses of the EPA in second-guessing the States and retroactively revoking previously granted approvals must stop. The status quo hurts people, and it does not help the value or the quantity or the quality of our water.

This bill is a good start. It is not completion of the issue, but it is a good start in trying to provide balance and

rationality back into the public process that we have and, more importantly, allowing people to know that when decisions are made, they are not going to be arbitrarily taken away and changed in the future. No government can operate that way. No business can operate that way. This should not be the policy of the United States. This is a good bill. More importantly, this is an extremely fair rule, and I urge its adoption.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I would like to thank the gentleman from Utah for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

I would also like to congratulate the gentleman from Utah on the occasion of his birthday and convey my warm birthday wishes to the gentleman from Utah.

Despite it being his birthday, however, I have to disagree with much of what he said regarding the rule and the bill. I rise in opposition to the rule and the bill.

This is an important debate that our country has had for generations with regard to State sovereignty and the role of the Federal Government. It is an ongoing discussion since the revolutionary discussions of Jefferson, Adams, and Hamilton. And as the pendulum of popular discourse swings back and forth on this fundamental issue, our country has concluded without a doubt that at the very least there are certain decisions that affect the whole country and interstate commerce that cannot be made unilaterally by different States.

That is true for civil rights with regard to the Voting Rights Act and the Civil Rights Act. It is true for immigration, which can only be addressed at a national level, and it is undoubtedly also true, as I will describe, for the protection of our environment and public health. Responsibility is fundamentally an American value, taking responsibility for your own actions.

But, Mr. Speaker, cancer clusters, polluted air and polluted water don't know State boundaries. The Cuyahoga on its way to Lake Erie literally caught on fire from overpollution when the Clean Water Act was written. It wouldn't stop burning simply because of a State borderline. Spilled oil in Montana's Yellowstone River won't stop at the border of North Dakota as it joins the Missouri River and makes its way down to the mighty Mississippi. Maintaining the Federal Government's basic safety net, the Clean Water Act, ensures that each State meets the basic safety standards in their own way, giving them flexibility; but it is a critical application of Federal authority with regard to interstate commerce and interstate activities.

The interstate nature of polluted air, polluted water and the devastating effects that pollution has on all of our health, as well as our economy and jobs with regard to recreational opportunities, demonstrates clearly that it is an issue that should be confronted by all of our States together in the United States of America here at the seat of the Federal Government.

Mr. Speaker, let's not fool ourselves. The bill before us today isn't just about the role of the Federal Government. The bill isn't just a push for State sovereignty. Rather, this bill is satisfying two very niche special interests at the cost of the American public. This bill is designed to benefit mountaintop coal mining companies and large factory farms.

H.R. 2018 would restrict EPA's ability to revise an existing water quality standard or promulgate a new one, unless the State concurs, effectively giving veto power to each State. It would prohibit EPA from rejecting a water quality certification granted by a State. It would prohibit EPA from withdrawing approval of a State or from limiting Federal financial assistance for the State program if a State is out of compliance with water quality standards.

Mr. Speaker, mountaintop coal mining deserves a legitimate debate here in this body, and perhaps the gentleman from Utah and I might agree on some parts of that and disagree on others. That debate needs to carefully examine the arguments of jobs in the coal industry, energy independence versus environmental and public health concerns, also legitimate concerns; but that debate shouldn't be held under the guise of State control or under the guise of water pollution permits. This is a backdoor handout for a few destructive companies. It is not something that should be discussed under the concept of federalism.

I, for one, think that oversight of mountaintop mining is critical; and, again, I am happy to have that discussion. Continued handouts to the coal industry keep us addicted to a dirty source of energy when more jobs and a better standard of living and true energy independence are possible today through clean energy born of American innovation.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Georgia (Mr. WOODALL), a member of the Rules Committee.

Mr. WOODALL. I thank the gentleman.

I rise today as a member of the Rules Committee. Mr. Speaker, for folks who don't follow exactly what the Rules Committee does, the Rules Committee is that committee that is the very last committee to touch any piece of legislation that comes to the floor; and it is the responsibility of the Rules Committee to decide what kind of choices we will be able to make about the bill once it gets to the floor.

Now, there was a time in this House, Mr. Speaker, where what that meant was that the Rules Committee closed that process down, didn't allow any other options, any other opinions, no amendments at all, sent a bill to the floor and said take it or leave it. But, Mr. Speaker, under the leadership of Chairman DREIER on the Rules Committee and under the leadership of the Speaker of the House, that process has begun to change. Now, it is not perfect, but it has begun to change.

I rise in support of a rule today where the Rules Committee asked all 435 Members of this House, when it comes to the Clean Water Cooperative Federalism Act, asked all 435 members of this House: What would you like to see changed about this bill? How would you like to see this bill improved? What would you like done differently in this piece of legislation?

As you know, Mr. Speaker, yesterday we had that exact same process on the flood insurance program. Not only did we allow lots of amendments to the flood insurance program; we allowed an amendment to eliminate the program altogether. That is the kind of openness that has been incorporated in this 112th Congress.

Well, this rule today is no exception. That is why I rise in strong support of it. We asked all 435 Members of the House, How would you improve the Clean Water Cooperative Federalism Act? Send in your amendment now, have it preprinted, and let us come and consider your ideas. And, Mr. Speaker, we did that, Republicans and Democrats alike. I have here, we only had one Republican amendment submitted, and we made that in order. We had 11 Democrat amendments submitted. One of those was non-germane. One was duplicative. The other nine were made in order.

Here we are, a Republican-controlled Congress, Mr. Speaker; and through the leadership of the Speaker and the chairman of the Rules Committee, we have said all amendments should be preprinted. All amendments should be considered.

Here we are on the floor of the House today, a Republican House, considering one Republican amendment and nine Democratic amendments. Now, a lot of folks ask why that is, Mr. Speaker. I get that every time I go back home. I live in a very conservative Republican district, as you know, Mr. Speaker. And so folks say: ROB, why don't you just shut down the process and do it your way because your way is the right way?

And I tell them: You're absolutely right. In our part of the world, our opinion is the right opinion. But there are a lot of other opinions. You get to Washington, D.C., 435 Members of Congress, that's 435 opinions. Sometimes it's 436 or 437 opinions among the 435 of us. And we can only have this body, the people's House, work its will when all of the people are heard.

I just say, and I thank the gentleman from Utah for yielding, it has been such a pleasure to be a part of the Rules Committee and serving with

folks like the gentleman from Colorado—whose editorial I read in the paper this morning with great interest—serving on a committee with folks like the gentleman from Colorado and the gentleman from Utah, who are committed to openness in this process.

□ 1240

I'm a believer, Mr. Speaker. I'm one of the new guys. I have only been here 6 months. I believe that we can do better for America when we do things in an open process.

Now, because I come from a conservative district, I know for a fact that when we open up the process to all comers, I'm going to lose, Mr. Speaker. I'm going to lose because this House kind of sits in the middle. We are a center-right nation. So I come from a far-right district; that means I'm going to lose. But I tell you, as an American, I want this House to work its will. I want this body to work the way the Founders intended it to work. I want us to take these baby steps, Mr. Speaker, towards restoring the faith of the American people in the work that we do here.

So, again, it is with great pride that I rise today as a member of the Rules Committee, as someone who supported this rule and as someone who is so appreciative of the leadership of Chairman DREIER and of Speaker BOEHNER and of our friends on the other side of the aisle who enable us to make this process the open process that it is.

I encourage all my colleagues to vote in favor of this rule and then to vote their conscience on the underlying provision.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from New York, the ranking member on the Water Resources and Environment Subcommittee, Mr. BISHOP.

Mr. BISHOP of New York. I thank the gentleman from Colorado for yielding.

I rise in opposition to this rule and I also oppose the underlying bill.

Mr. Speaker, I was heartened that my Republican colleagues accepted many of the amendments offered in the Rules Committee yesterday, and I commend them for their attempts to adhere to the open process that they promised.

However, I was disappointed that an amendment offered by my good friend from Missouri (Mr. CARNAHAN) was not made in order because it would have addressed perhaps one of the most fundamental areas of concern for this bill that I and a great many others share, and that is that it undermines the Federal floor on water quality standards that has made the Clean Water Act such a success. This body should have had the opportunity to vote on such an important issue, and yet the rule denies that opportunity.

I am a strong supporter of efforts to protect the Long Island Sound, which borders the northern shore of my district and also the southern shore of Connecticut. In my view, the investment of Federal, State, and local resources to clean up and protect the sound significantly benefits communities in my district and in our region generally in terms of increased economic productivity, increased revenues from commercial and recreational uses of the sound, and increased quality of life for local residents. As a New Yorker, I take great pride in the efforts my State has made in improving the water quality of the sound, and I appreciate the collective efforts of our neighboring States in cleaning up the sound.

However, under H.R. 2018, we revert back to the State-by-State, go-it-alone approach that was the hallmark of water pollution prevention before the enactment of the Clean Water Act. Under H.R. 2018, if the EPA proposes a revised water quality standard that science dictates is needed to clean up the sound and Connecticut decides that they don't want to implement that standard, the EPA would no longer have the authority to compel them to do so nor would New York have any recourse under the Clean Water Act to ensure that Connecticut or other upstream States are doing what is needed; in other words, a recipe for the kind of pollution that we dealt with prior to the implementation of the Clean Water Act.

For this and a great many other reasons, H.R. 2018 flies in the face of decades of experience in implementing the Clean Water Act and risks all the gains in water quality that we have made over the past 40 years. For that I urge my colleagues to oppose the rule and the underlying bill.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri, a member of the Water Resources Subcommittee, Mr. CARNAHAN.

Mr. CARNAHAN. I want to thank my colleague from Colorado (Mr. POLIS) for yielding and for the work he is doing on this rule.

I appreciate the consideration of the Rules Committee in making one of the amendments I offered on this bill in order. However, I offered a second amendment that gets right at the heart of the issues addressed by this legislation, and, unfortunately, this amendment was not made in order. I can only assume this is because the majority does not want a floor debate that demonstrates the weaknesses inherent in this legislation.

My constituents in the St. Louis region I represent understand how important the Clean Water Act is. Situated at the confluence of our country's two greatest rivers, the Mississippi and the Missouri, St. Louis has a long relationship with the mighty rivers. We have long relied on the rivers to take our products to market and to connect us to the rest of the country, and, of course, we depend on them to provide clean drinking water. At the same time, we have learned to rebuild after devastating floods, and I'm sorry to see that this year may well go down in history as the most devastating year for flooding since the epic year of 1993.

I appreciate that the Rules Committee made in order my amendment which will allow us to debate and vote to ensure provisions which help ensure that flooded communities do not have to worry about unclean and unsafe water as they recover. However, Mr. Speaker, my constituents want to know that their water is clean and safe at all times, not just in the wake of natural disasters.

This bill seeks to give States greater control over their water, but, unfortunately, water does not always obey State borders. This bill fails—it fails—to ensure that water flowing from an upstream State meets the standards for water quality for any of the downstream States. This legislation will undermine the precedent we have established since President Nixon signed the Clean Water Act into law in 1972 that allows the EPA to balance the concerns of different States and ensure clean drinking water for everyone.

If H.R. 2018 were to become law as it stands now, the EPA would lose this critical ability. In that case, Missouri would have little recourse if, say, Minnesota or Illinois decided to adopt clean water standards below what is acceptable to Missouri.

My amendment which was not made in order is simple: It would have exempted water that travels between States, thus solving the issue of differing standards between States. If one State chooses to allow polluters to discharge harmful chemicals into a shared water body, other States that share the waters should have a say, and EPA should step in and ensure basic standards are met. Unfortunately, H.R. 2018 without my amendment will allow States to adopt inconsistent standards that will create uncertainty for business, damage our environment, and undermine our public health.

Mr. Speaker, I urge a ''no'' vote.

Mr. BISHOP of Utah. I continue to reserve the balance of my time.

Mr. POLIS. I yield myself such time as I may consume.

Mr. Speaker, recent peer-reviewed scientific studies suggest that mountaintop mining is associated with higher cancer risk and elevated birth defect rates and many other health problems in Appalachian coal mining communities. Rates of cancer and birth defects are much higher, and with direct links to mountaintop mining practices, than the national average and even higher than in areas with traditional coal mining. Is this really what the rest of us are being asked to subsidize at the cost of our own States and our health?

If we want to debate mountaintop mining, let's do it—and there are pros and cons, legitimate issues and stalking horses as well—but we don't want to hurt the rest of the States in that process.

This bill throws into question a balance between State and Federal authority that has served the American people well for 30 years.

□ 1250

Why should the rest of us, once again, pay the price for a gain of a few coal mining companies or of a few factory farms when most Americans would prefer that we protect the Chesapeake Bay and the Everglades?

Oklahoma continues to battle Arkansas over water pollution from poultry farms, which starts in Arkansas and flows into Oklahoma. Why are we voting on a bill that would let Arkansas decide the fate of Oklahoma's waters?

Why should a community in Tennessee, whose economy is booming thanks to white water rafting and the growth of the outdoor recreation industry, live and die by the decisions of a North Carolina mining company?

Are we really going to vote for the ability of Pennsylvania to decide the fate of New York, Maryland and West Virginia rivers when Pennsylvania has decided that fracking with chemicals should be done without meaningful oversight?

I will be interested to see how these pronounced downstream States vote on these measures, and it will be interesting to see the outcome of this bill and how anybody who supports it from the downstream States can possibly justify the votes to their constituents, who are on the receiving end of interstate pollution.

H.R. 2018 would undermine the Federal Government's ability to ensure that States effectively implement or make necessary improvements to their water quality standards. If States fail to adhere to their own existing water quality standards, the bill would prohibit the EPA from insisting that States make the improvements that are necessary.

Regarding dredge-and-fill projects, H.R. 2018 would stymie the EPA's ability to stop discharges that have unacceptable adverse effects on municipal water supplies. Now, although this veto authority has only been used 13 times in the past 38 years, it is a critical tool that safeguards against the most destructive and health-threatening proposes.

Americans expect and rely on clean water and clean air that we breathe and drink every day. The Nation's lakes, rivers, bays, wetlands, and streams are vital to our health and vital to our economy. From the Chesapeake Bay to the Great Lakes to the Florida Everglades, all of these waterways and beaches are of interest and value and importance to our entire country. They need to be clean enough to swim and drink and fish from. Americans should have safe, clean water to drink.

H.R. 2018 would remove the EPA's ability to protect communities from unacceptable adverse effects for our Nation's waters and public health. Before the Clean Water Act, there wasn't an effective Federal safety net to ensure the health of our waters, but since the passage of the Clean Water Act, we have made great strides in restoring our waterways. This bill threatens to move that back.

Our current waterways are critical for our economy in my home State of Colorado and across the country. Waterways sustain the activities of 40 million anglers and sportsmen, who spend about $45 billion a year, and of about 2.3 million people who spend over $1 billion a year hunting, as well as the multibillion dollar commercial fishing industry.

Again, we have a national interest as to these issues, and it should not be, consistent with the American value of responsibility, within the ability of any one particular State to damage the economy and health of people in another State.

I reserve the balance of my time.

Mr. BISHOP of Utah. I am happy to yield 3 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN of Tennessee. Mr. Speaker, I rise in support of H.R. 2018, and I thank the gentleman for yielding me this time.

Last year, Thomas Donahue, the President of the U.S. Chamber of Commerce, said in a speech to a major jobs summit:

''Taken collectively, the regulatory activity now underway is so overwhelmingly beyond anything we have ever seen that we risk moving this country away from a government of the people to a government of regulators.''

Mr. Speaker, if we are ever going to see an economic recovery, if we are ever going to create enough jobs for our young people, we have got to stop this explosion of Federal rules, regulations and red tape. This country could be booming right now, but it is being held back by Federal bureaucrats who have very little or no business experience and who do not realize how difficult it is to survive in small business or on small farms today.

This is my 23rd year in Congress. I believe I have heard and read more complaints about the EPA in the last couple of years than about all other Federal agencies combined. This bill is a very moderate attempt to rein in environmental radicals at the EPA and to put some common sense and, more importantly, some fairness in these clean water rulings.

I have heard from farmers, homebuilders, small business people, Realtors, coal miners, small property owners, and others. These rules and regulations do not hurt the big giants in business—in fact, they help them by driving out competition—but they are sure hurting the little guy, and they are hurting poor and lower income people by driving up the cost of houses, the cost of food and everything else, and are destroying jobs. Simply put, the EPA is out of control.

A few years ago, when I chaired the Water Resources and Environment Subcommittee, we heard testimony from a cranberry farmer in Massachusetts. During his testimony, he broke down into tears over the way he was treated by the EPA. The EPA claimed he filled 46 acres of wetlands that the farmer said never existed. The farmer, a Mr. Johnson, spent $2 million over two decades in fighting this case. At the end of it, Mr. Johnson said he was ''disgusted'' by all the millions of dollars the government spent on a small section of his 400-acre farm.

He said, ''For the money they spent, they could have bought all of our property with half of it.''

Several years ago, in one of the most famous wetland cases, the trial judge in a Federal court said, ''I don't know if it's just a coincidence that I just sentenced Mr. Gonzales, a person selling dope on the streets of the United States. He is an illegal person here. He's not an American citizen. He has a prior criminal record. So here we have a person who comes to the United States and commits crimes of selling dope, and the government asks me to put him in prison for 10 months; and then we have an American citizen who buys land, pays for it with his own money, and he moves some sand from one end to the other, and the government wants me to give him 63 months in prison.'' The judge said, ''Now, if that isn't our system gone crazy, I don't know what is.''

That's what this bill is all about. We've had so many of these bureaucratic rulings that have just gone crazy.

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

Mr. BISHOP of Utah. I yield the gentleman an additional minute.

Mr. DUNCAN of Tennessee. Mr. Speaker, this is supposed to be a Federal system in which our Founding Fathers felt more power should be given to the States than to the national government. They certainly didn't envision a Federal dictatorship, with the States being dictated to by unelected Federal bureaucrats.

This bill does not go very far, but it at least tries to put a little more balance and fairness back into our system so that we can have both clean water and a stronger economy.

Mr. POLIS. I have no further requests for time, and am prepared to close.

I would like to ask the gentleman from Utah if he has any remaining speakers.

Mr. BISHOP of Utah. I have no further requests for time, and I am ready to close as well.

Mr. POLIS. Mr. Speaker, from a purely self-interested perspective as a Coloradan—and perhaps we have very little to lose as we're a headwaters State—snow that falls in my district on the continental divide will either end up in the Arkansas and Mississippi rivers, flowing toward the Gulf of Mexico, or will end up in the Colorado

River, supplying my friend from Utah's State as well as Arizona, Nevada and California. The continental divide runs right through my district in the State of Colorado. If Colorado, for example, opened its doors to unregulated uranium mining, it's Utah, New Mexico, Arizona, and California which would have to pay that price.

Regardless of self-interest, clean water is an interstate issue that deserves an interstate solution. I can't think of anything that better fits the description of interstate commerce, which is enshrined in our Constitution, itself. Truly, how we deal with our interstate waterways is at the very base of interstate commerce.

Safe drinking water is critical to economic growth, to the survival of all communities nationally and to all people in the entire world. While States appropriately have led the role in implementing clean water safeguards, the law does not function effectively without a backstop and a floor provided by the Federal Government which ensures that people have clean water and safe drinking water regardless of the State in which they live.

Mr. Speaker, you've heard today the call from the right of Federal overreach, of an out-of-control EPA and that kind of rhetoric. Again, these are valid discussions about the degree of regulation from the EPA, how to deal with mountaintop coal mining—all important policy discussions—but they're simply avoided and punted in the wrong way by saying that these aren't legitimate interstate issues that have their nexuses here at the Federal level.

This bill is truly about a handout to special interests. A vote for this bill is a vote for a few well-lobbied companies and a vote against the health and environment of downstream States and downstream residents, which, as I noted above, include just about every person in the country. I encourage my colleagues to oppose the rule and the bill.

I yield back the balance of my time.

□ 1300

Mr. BISHOP of Utah. Mr. Speaker, I appreciate my good friend from Colorado and the way he has conducted the debate so far in this rule.

I have to admit, in closing on this particular bill, that as someone who as a State legislator worked on a complex that dealt with the largest undeveloped river in my district that went through and crossed six different State boundaries before it found its way to the Great Salt Lake, the idea that only the Federal Government can actually solve issues that happen between States or across State boundaries is somewhat almost insulting to the idea of the States.

It may be true that in every issue there is always some catalyst that brings it about. The issue in Florida and West Virginia—to which I responded—was a catalyst, but it is not the only situation that has provided the basis for this particular bill. We have a letter from the Louisiana Department of Agriculture and Forestry, which has written in support of this bill simply because Louisiana is currently facing a similar threat from the EPA.

The Chamber of Commerce strongly opposes several amendments to this piece of legislation, but they also wrote: ''The Clean Water Act grants States the primary responsibility for protecting water quality. However, recent actions by the EPA upset and supplant this partnership with arbitrary Federal power that is being exercised even over States with effective delegated regulatory programs. Individuals and firms that meet the requirements of, and obtain permits from, State regulators ought not to be left exposed to the enforcement whims and caprice of the Federal Government,'' which is the reality.

Finally, the National Association of State Departments of Agriculture also talk about this bipartisan piece of legislation that addresses the Environmental Protection Agency's ongoing regulatory overreach, and that it allows the basis, if we pass this bill, for States and the Federal Government once again to be able to work together.

I have stated repeatedly that one of the problems we do have with the provisions of the Clean Water Act is the concept of accountability. Where is someone allowed to kind of comprehend against what the Federal Government does when it overreaches? Let me give you one specific example, since the gentleman from Tennessee did, and it states the same concept that happens to be there. I will call this guy Gene, because that's his first name. But he was a farmer on a family farm, a sugar beet farmer—which I would remind you is a root crop. You try to have a sugar beet crop in a wetland and you come up with just rotted vegetables. But one Federal bureaucrat from these agencies, driving by his property one day, seeing it flooded, declared it to be a wetland, even though the farmer said the only reason the water is here is because we have a pipe from the creek that goes over to the land. And when the farmer removed the pipe from the creek to show that the water was not naturally flowing into that area, he was threatened with a jail term if he actually moved that pipe one more time.

Now even though they took core samples from the water conservancy district to prove there was too much clay in that land to ever have any kind of water bubble up from the underground aquifers, this one bureaucrat from these agencies still maintained this was a wetland. When asked how long would it take to determine—even though the science is against him—that he is wrong in his determination, his response was, well, 6 to 7 years because I want to go through a wet and dry cycle to see if maybe per chance water may not come up again on this person.

Now the issue, and why I'm so passionate about this is because, for Gene, this farm was his heritage. More importantly, it was his retirement, and it was his legacy for his kids. And what one bureaucrat, using the broad powers given under the Clean Water Act, was able to do is basically impose a taking on this person's property without ever compensating him for it, because they didn't take the land away; they just told him what he could do with it and—more importantly, because of that regulation now on his property—for what he could sell. He was able to finally unload his property at a quarter of the value that a neighbor, which this one bureaucrat did not see, was able to sell his exact same lot on the exact same road with the exact same type of land. That is the unfairness that has developed with a bill that is so loosely written.

Two Supreme Court decisions have criticized the bill and implored Congress to go back there and do our jobs and to tighten it up so that you don't have conflicting strategies and conflicting patterns and conflicting rules and regulations in different parts of the country. That's what we're attempting to do here.

There is a pattern of abuse. It hurts people. It is time to respect the idea that States care as much about their own States as the Federal Government would care about their States. And you can make the presumption that they probably care more. That's why this is a good bill, and that's why this is an issue of Federalism.

This is going back to what the original Clean Water Act was supposed to do, to encourage and indeed control and ensure that there would be bipartisan cooperation between States and the Federal Government. And unfortunately, as the years have progressed, the role of the States have been diminished by arbitrary and capricious actions on the part of the Federal Government. That can no longer be. That is the status quo that is unacceptable. That needs to be changed. That is exactly what this bill is attempting to do.

In closing, I would like to reiterate the fairness of this structured rule and urge its adoption, as well as urging the adoption of the underlying legislation.

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

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

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

RECESS

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

Accordingly (at 1 o'clock and 7 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1400

AFTER RECESS

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

PROVIDING FOR CONSIDERATION OF H.R. 2018, CLEAN WATER COOPERATIVE FEDERALISM ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 347) providing for consideration of the bill (H.R. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 250, nays 171, not voting 10, as follows:

[Roll No. 564]

YEAS—250

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
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
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Culberson
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
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Hall
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Hastings (WA)
Hayworth
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Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
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Renacci
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Roby
Roe (TN)
Rogers (AL)
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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
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 (FL)
Young (IN)

NAYS—171

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

NOT VOTING—10

Bass (CA)
Bishop (GA)
Cardoza
Ellison
Giffords
Hinchey
McCotter
Pastor (AZ)
Ruppersberger
Waxman

□ 1429

Ms. EDDIE BERNICE JOHNSON of Texas and Mr. JACKSON of Illinois changed their vote from ''yea'' to ''nay.''

Mr. OWENS, Mrs. SCHMIDT, and Messrs. COSTELLO, TURNER, and GUINTA changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GIBBS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on H.R. 2018 and to also include extraneous materials and letters of support into the CONGRESSIONAL RECORD.

The SPEAKER pro tempore (Mr. DANIEL E. LUNGREN of California). Is there objection to the request of the gentleman from Ohio?

There was no objection.

CLEAN WATER COOPERATIVE FEDERALISM ACT OF 2011

The SPEAKER pro tempore. Pursuant to House Resolution 347 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. 2018.

□ 1429

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. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes, with Mr. POE of Texas in the chair.

The Clerk read the title of the bill.

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

The gentleman from Ohio (Mr. GIBBS) and the gentleman from West Virginia (Mr. RAHALL) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio.

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

I rise in strong support of H.R. 2018, the Clean Water Cooperative Federalism Act of 2011. Almost four decades ago, when it enacted the Clean Water Act, Congress established a system of cooperative federalism by making the Federal Environmental Protection Agency, the EPA, and the States

partners in regulating the Nation's water quality and allocated the primary responsibilities for dealing with day-to-day water pollution control matters to the States.

For most of these almost four decades, this system of cooperative federalism between the EPA and the States has worked quite well. However, in recent years, the EPA has begun to use questionable tactics to usurp the States' role under the Clean Water Act in setting water quality standards and to invalidate legally issued permits by the States. EPA has decided to get involved in the implementation of State standards, second-guessing States with respect to how standards are to be implemented and even second-guessing EPA's own prior determinations that the State standards meet the minimum requirements for the Clean Water Act. EPA has also inserted itself into the States and the Army Corps of Engineers' permit issuance decisions and the second-guessing State and other agencies' permitting decisions.

The EPA's recent actions increasingly are amounting to bullying the States and are unprecedented. H.R. 2018 was introduced to clarify and restore the longstanding balance that had existed between the States and the EPA as coregulators under the Clean Water Act and to preserve the authority of States to make determinations relating to their water quality standards and permitting. The bill was carefully and narrowly crafted to preserve the authority of States to make decisions about their own water quality standards and permits without undue interference on second-guessing from EPA bureaucrats in Washington with little or no knowledge of local water quality conditions.

The legislation reins in EPA from unilaterally issuing a revised or new water quality standard for a pollutant adopted by a State and EPA already has approved a water quality standard for that pollutant. H.R. 2018 restricts EPA from withdrawing its previous approval of a State NPDES water quality permitting program or from limiting Federal financial assistance for a State water quality permitting program on the basis that EPA disagrees with the State.

Further, the bill restricts EPA from objecting to NPDES permits issued by a State. Moreover, the bill clarifies that EPA can veto an Army Corps of Engineers Clean Water Act section 404 permitting decision when the State concurs with the veto.

These limitations apply only in situations where EPA is attempting to contradict and unilaterally force its own one-size-fits-all Federal policies on a State's water quality program. By limiting such overreaching by the EPA, H.R. 2018 in no way affects EPA's proper role in reviewing State permits and standards and coordination pollution control efforts between the States. EPA just has to get back to the more collaborative role it has long played as the overseer of the States' implementation of the Clean Water Act.

Detractors of this legislation claim that the bill only intends to disrupt the complementary roles of EPA and the States under the Clean Water Act and eliminate EPA's ability to protect water quality and public health in downstream States from actions in upstream States. In reality, these detractors want to centralize power in the Federal Government so it can dominate water quality regulation in the States. Implicit in their message is that they do not trust the States in protecting the quality of their waters and the health of their citizens.

This bill returns the balance, certainty, and cooperation between the States and the Federal Government in regards to the environment that our economy, job creators, and permit holders have been begging for. Well over 100 organizations representing a wide variety of public and private entities support this legislation. Just to name a few, these organizations include the National Association of State Departments of Agriculture, the American Farm Bureau Federation, the National Mining Association, the National Water Resources Association, the U.S. Chamber of Commerce, the National Association of Manufacturers, the National Association of Homebuilders, and the Associated General Contractors of America.

JULY 12, 2011.

Hon. JOHN BOEHNER,
Speaker, House of Representatives, Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.

URGING SWIFT PASSAGE OF THE CLEAN WATER COOPERATIVE FEDERALISM ACT (H.R. 2018)

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: The undersigned 121 organizations, representing a broad cross-section of the American economy, are united in their strong support for the Clean Water Cooperative Federalism Act (H.R. 2018), a bipartisan bill passed by the House Transportation and Infrastructure Committee on June 22.

The bill would reaffirm the decades-old state-federal relationship set out in the Clean Water Act (CWA) by addressing the Environmental Protection Agency's (EPA) ongoing regulatory overreach. We urge all House members to vote for passage of this important legislation when it is considered on the House floor later this week.

H.R. 2018 has important job creation, economic security, and federalism implications. Over the years, EPA has repeatedly challenged states' authority and expertise under the CWA and asserted its control as the sole arbiter of evolving CWA permitting requirements and standards. The agency's actions jeopardize more than $220 billion of annual economic activity subject to CWA Sec. 402 and 404 permits.

H.R. 2018 would help put people back to work and create new jobs in the sectors our members serve by restoring the proper balance between EPA and the states in regulating the nation's waters, protecting the CWA's system of cooperative federalism, and preventing EPA from second-guessing or delaying a state's CWA permitting and water quality certification decisions.

We urge swift enactment of H.R. 2018 and look forward to working with you to accomplish that important objective.

Sincerely,

Agricultural Retailers Association; Alabama Cattlemen's Association; American Concrete Pavement Association; American Concrete Pressure Pipe Association; American Farm Bureau Federation; American Rental Association; American Road & Transportation Builders Association; American Sugarbeet Growers Association; Arizona Farm Bureau Federation; Arizona Rock Products Association; Associated Equipment Distributors; The Associated General Contractors of America; Association of Equipment Manufacturers; Buckeye Valley Chamber of Commerce; Chamber of Commerce of the Mid-Ohio Valley; Chemical Producers & Distributors Association; Colorado Cattlemen's Association; Colorado Livestock Association; CropLife America; Dairy Producers of New Mexico; Deep South Equipment Dealers Association; Delaware State Chamber of Commerce; Edison Electric Institute; Equipment Distributors Association of Minnesota; Far West Equipment Dealer Association.

Farm Equipment Manufacturers Association; The Fertilizer Institute; Florida Cattlemen's Association; Florida Sugar Cane League; Georgia Construction Aggregate Association; Georgia Mining Association; Greater Phoenix Chamber of Commerce; Greater Pittsburgh Chamber of Commerce; Idaho Cattle Association; Illinois Association of Aggregate Producers; Illinois Chamber of Commerce; Illinois Coal Association; Industrial Minerals Association—North America; Iowa Cattlemen's Association; Iowa Limestone Producers Association; Iowa-Nebraska Equipment Dealers Association; Kansas Aggregate Producers Association; Kansas Livestock Association; Kansas Ready Mixed Concrete Association; Kentucky Association of Manufacturers; Kentucky Chamber of Commerce; Kentucky Coal Association; Kentucky Crushed Stone Association, Inc.; Lodi Chamber of Commerce; Los Angeles Area Chamber of Commerce.

Manhattan Beach Chamber of Commerce; Michigan Aggregates Association; Mid-America Equipment Retailers Association; Midwest Equipment Dealers Association; Minnesota-South Dakota Equipment Dealers Association; Missouri Cattlemen's Association; Montana Equipment Dealers Association; Montana Stockgrowers Association; National Asphalt Pavement Association; National Association of Home Builders; National Association of Manufacturers.

National Cattlemen's Beef Association; National Corn Growers Association; National Milk Producers Federation; National Mining Association; National Pork Producers Council; National Precast Concrete Association; National Ready Mixed Concrete Association; National Stone, Sand & Gravel Association; National Water Resources Association; Nebraska Cattlemen, Inc.; North American Equipment Dealers Association; North Dakota Implement Dealers Association; Northeast Equipment Dealers Association, Inc.; NUCA Representing Utility and Excavation Contractors.

Ohio Aggregates & Industrial Minerals Association; Ohio Chamber of Commerce; Ohio Equipment Distributors Association; Ohio-Michigan Equipment Dealers Association; Oklahoma Cattlemen's Association; Pacific Northwest

Hardware & Implement Association; Palm Desert Area Chamber of Commerce; Pennsylvania Aggregates and Concrete Association; Pennsylvania Cattlemen's Association; Pennsylvania Chamber of Business and Industry; Portland Cement Association; Public Lands Council; Responsible Industry for a Sound Environment; Scottsdale Area Chamber of Commerce; Simi Valley Chamber of Commerce; South Dakota Agri-Business Association; South Dakota Cattlemen's Association; South East Dairy Farmers Association; SouthEastern Equipment Dealers Association; South Western Association; Tennessee Concrete Association; Tennessee Road Builders Association; Texas and Southwestern Cattle Raisers Association.

Texas Cattle Feeders Association; Tucson Metropolitan Chamber of Commerce; U.S. Cattlemen's Association; U.S. Chamber of Commerce; United Egg Producers; USA Rice Federation; Utah Cattlemen's Association; Utah Farm Bureau Federation; The Utah School and Institutional Trust Lands Administration; Utah Wool Growers Association; Virginia Agribusiness Council; Virginia Grain Producers Association; Virginia Poultry Federation; Washington Aggregates & Concrete Association; Washington Cattlemen's Association; Washington Farm Bureau; West Virginia Chamber of Commerce; West Virginia Coal Association; West Virginia Manufacturers Association; Western Business Roundtable; Wyoming Ag Business Association; Wyoming Crop Improvement Association; Wyoming Stock Growers.

AMERICAN FARM BUREAU FEDERATION,
Washington, DC, July 13, 2011.

Hon._____
House of Representatives,
Washington, DC.

DEAR REP. _____ The American Farm Bureau Federation, the nation's largest general farm organization representing farmers and ranchers in every state and Puerto Rico, strongly supports H.R. 2018, the Clean Water Cooperative Federalism Act of 2011. This legislation restores the historic Clean Water Act balance and partnership between the federal government and states.

H.R. 2018 limits the Environmental Protection Agency's (EPA) ability to arbitrarily issue revised or new water quality standards if a state has adopted, and EPA has already approved, a standard that protects water quality, unless the state concurs with the new standard. This important legislation protects states and permit holders and maintains the successful partnership between states and the federal government in a way that protects water quality and fosters an environment for economic growth and job creation.

Farm Bureau believes this legislation significantly improves the accountability of EPA. Farm Bureau opposes amendments expected to be offered by Reps. Russ Carnahan (D-Mo.), Gerald Connolly (D–Va.), Sheila Jackson Lee (D–Texas), Jared Polis (D–Colo.) and Edward Markey (D–Mass.) and any other amendments that would weaken the legislation.

Farm Bureau strongly supports H.R. 2018 and urges you to vote in favor of its passage.

Sincerely,

BOB STALLMAN,
President.

CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA,
Washington, DC, July 13, 2011.

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses and organizations of every size, sector, and region, strongly supports H.R. 2018, the ''Clean Water Cooperative Federalism Act of 2011,'' which would restore the historic balance and partnership between the federal government and the states in the administration of the ''Clean Water Act (CWA).'' The Chamber strongly opposes several amendments that would weaken this important legislation, and supports an amendment that would improve accountability at the Environmental Protection Agency (EPA).

The Clean Water Act grants states the primary responsibility for protecting water quality. However, recent actions by the EPA upset and supplant this partnership with arbitrary federal power that is being exercised even over states with effective delegated regulatory programs. Individuals and firms that meet the requirements of, and obtain permits from, state regulators ought not to be left exposed to the enforcement whim and caprice of the federal government.

H.R. 2018 would prevent EPA from issuing a revised or new water quality standard if a state has adopted—and EPA has already approved—such a standard, unless the state concurs with the new standard. The bill would also prohibit EPA from superseding a water quality certification granted by a state under CWA §401, limit EPA's ability to withdraw approval of a state water quality permitting program under CWA §402, and limit EPA's ability to object to a state's issuance of a pollutant discharge permit or to veto dredge and fill permits issued by the Army Corps of Engineers.

H.R. 2018 would protect states and their permittees from federal bureaucratic overreach, allow flexibility in the administration of approved permitting programs, and restore the successful partnership between states and the federal government to protect water quality throughout the nation.

The Chamber strongly opposes amendments expected to be offered by Reps. Carnahan, Connolly, Jackson Lee, Polis and Markey. Each amendment would significantly weaken, gut, or impair this important legislation.

In addition, the Chamber supports an amendment expected to be offered by Rep. Capito that would require EPA to more fully assess the economic and employment impacts of regulations it promulgates. This amendment would be an important step towards improving accountability at EPA. Moreover, the amendment would complement provisions of existing law, including Clean Air Act section 321, requiring an analysis of job losses that EPA has historically ignored.

The Chamber strongly supports H.R. 2018 and urges you to vote in favor of this legislation. The Chamber will consider including votes on or in relation to H.R. 2018—including votes on the Capito amendment and several weakening amendments—in our annual How They Voted scorecard.

Sincerely,

R. BRUCE JOSTEN.

THE NATIONAL ASSOCIATION OF STATE DEPARTMENTS OF AGRICULTURE,
Washington, DC, July 11, 2011.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: The National Association of State Departments of Agriculture (NASDA) writes in support of the ''Clean Water Cooperative Federalism Act'' (H.R. 2018). This bipartisan legislation, introduced by Transportation and Infrastructure Committee Chairman John Mica and Ranking Member Nick Rahall, re-affirms the decades-old state-federal relationship set out in the Clean Water Act (CWA) by addressing the Environmental Protection Agency's (EPA) ongoing regulatory overreach. We urge all House members to vote for passage of this important legislation when it is considered on the House floor this month.

The CWA established an effective framework in which the states and the federal government work together to ensure the protection of our nation's waters. However, over a number of years, EPA has eroded states' authority under the CWA, questioned the expertise and integrity of state regulatory officials and attempted to assert control as the sole arbiter of CWA permitting requirements and standards. As the top agriculture officials in the states, NASDA members have seen firsthand the impacts that occur when EPA undermines these state programs.

H.R. 2018 would help restore the proper balance between EPA and the states in regulating the nation's waters, protecting the CWA's system of cooperative federalism, and preventing EPA from second-guessing or delaying a state's CWA permitting and water quality certification decisions.

We urge swift enactment of H.R. 2018 and look forward to working with you to accomplish that important objective.

Sincerely,

STEPHEN HATERIUS,
Executive Director.

LOUISIANA DEPARTMENT OF AGRICULTURE & FORESTRY,
Baton Rouge, LA, July 11, 2011.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: Recently, the Environmental Protection Agency (EPA) set strict water quality standards for nitrogen and phosphorus in Florida waters, leading many agriculture organizations to express concern over EPA's approach. A study by the Florida Department of Agriculture and Consumer Services and the University of Florida estimates that the requirements being imposed by EPA in Florida will cost the state's economy in excess of $1 billion.

Louisiana is currently facing a similar threat. A petition originally filed July 30, 2008, by the Minnesota Center for Environmental Advocacy (MCEA), Natural Resources Defense Council, the Chicago-based Environmental Law and Policy Center, the Midwest Environmental Advocates and the Gulf Restoration Network, among others, asked EPA to set nationwide numeric water quality standards for nitrogen and phosphorous, as well as a nutrient pollution loading plan or total maximum daily load (TMDL) for the Mississippi River and the Gulf of Mexico.

Agriculture is the largest sector of our state's economy. Agriculture, forestry and aquaculture comprise over 85 percent of the surface area of this state, 9.7 percent of our work force, and over 243,000 jobs. Valued at more than $30 billion, agriculture and forestry combined make up the most economically dependent industry in Louisiana. If Louisiana is forced to comply with these actions, we are certain that Louisiana agriculture cannot meet the EPA nutrient criteria requirements without the implementation of costly edge-of-farm water detention and treatment that would severely impact our ability to produce safe food and fiber for our citizens.

Louisiana agriculture and forestry is proactive in addressing water quality concerns. Scientifically based best management practices (BMPs) have been developed and are being implemented through the Louisiana Master Farmer Program and the Louisiana Master Logger Program. These practices are targeted at reducing the generation and delivery of pollutants into the air and waters of the state, specifically those targeted in the state TMDL program. Our Louisiana Master Farmer Program is firmly rooted in state law, is backed by sound science, and is a critical component of Louisiana's overall water resource management program.

The original intent of the Clean Water Act (CWA) was to establish an effective framework in which the states and the federal government work together to ensure the protection of our nation's waters. However, over a number of years, EPA has eroded the states' authority under the CWA, questioned the expertise and integrity of state regulatory officials, and attempted to assert control as the sole arbiter of CWA permitting requirements and standards.

The Clean Water Cooperative Federalism Act of 2011 (H.R. 2018), bipartisan legislation introduced by Transportation and Infrastructure Committee Chairman John Mica and Ranking Member Nick Rahall, re-affirms the decades-old state-federal relationship set out in the CWA by addressing the EPA's ongoing regulatory overreach. 1 urge all House members to vote for passage of this important legislation when it is considered on the House floor this month.

H.R. 2018 would help restore the proper balance between EPA and the states in regulating the nation's waters, protecting the CWA's system of cooperative federalism, and preventing EPA from second-guessing or delaying a state's CWA permitting and water quality certification decisions.

We stand ready to assist in water quality efforts in Louisiana; however, we feel that: 1) Louisiana should be allowed to exercise the authority envisioned by the CWA to develop its own water quality standards and implement them through an EPA approved and predictable process governed by existing state law; 2) decisions should be based on good science; 3) efforts must be sensitive to economic costs to producers; and 4) consideration must be given to the overall impact to the economic health of farm-based communities where agriculture is the economic base of these communities.

Along with the National Association of State Departments of Agriculture (NASDA), I support the ''Clean Water Cooperative Federalism Act.'' We urge swift enactment of H.R. 2018, and look forward to working with you to accomplish this important objective.

Respectfully submitted,

MIKE STRAIN,
Commissioner.

I urge passage of H.R. 2018, and I reserve the balance of my time.

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

I rise in support of H.R. 2018. For far too many years now, my State and others throughout the Appalachian region that produce coal to power our Nation have been struggling under the weight of an uncertain Federal permitting process. That uncertainty has left coal miners and mining communities living in an untenable limbo. The result has been a creation of an atmosphere of worry, of distrust, and of bitterness.

I had hoped that under this administration, we would finally find our way to some clarity and common ground. Unfortunately, that has not been the case. Rather than bringing sides together and fostering balance, the EPA's actions in recent months have widened the division. They have spurred the tension of divided opinion over surface coal mining to fracture what should be a cooperative relationship among the Federal and State agencies with permitting responsibility.

Not only is the EPA reaching into the Clean Water Act authorities under the jurisdiction of the Corps of Engineers; it is also reaching into the States and attempting to control their water protection programs. Opponents of this legislation will argue that the EPA does not have statutory authority to limit or otherwise supersede the authority of the States to issue water quality permits under the Clean Water Act, section 401. But that lack of statutory authority has not prevented them from trying to do so. In its very first official step to change the rules of surface mine permitting, on June 11, 2009, the EPA entered into a memorandum of understanding with the Army Corps of Engineers and the Interior Department. It states: ''EPA will improve and strengthen oversight and review of water pollution permits for discharges from valley fills under CWA section 402, and of State water quality certifications under CWA section 401, by taking appropriate steps to assist States to strengthen State regulation, enforcement, and permitting of surface mining operations under these programs.''

The agency may claim that it is only following the law and ''assisting'' the State, but the reality is that agency is strong-arming the States, just as it is muscling in on the jurisdiction of other agencies. By creating wholly new criteria and new timeliness for Clean Water Act permits and stubbornly insisting, from on high, that the States adhere to them, the EPA is imposing its own will and its own interpretations of water quality standards on the States. It has drawn a line in the sand, and it is daring the States to cross over it.

To my mind, the most logical solution would be for all sides to come together. The Federal agencies ought to work together in cooperative partnership with the States. That was the vision of the CWA, and that's the goal of H.R. 2018, the Clean Water Cooperative Federalism Act of 2011.

Mr. Chairman, I think we would all prefer not to have to craft this kind of legislation. Certainly it would be preferable that agencies work with each other, with the States, and within the confines of their statutory authority. It would be better if they followed the rules and did not try to change the law through guidance and MOUs. But when they do so, when they abuse their powers, Congress has the constitutional responsibility to serve as a check on them. This is clearly such a time.

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

Mr. GIBBS. I yield such time as he may consume to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chair, I thank the gentleman from Ohio (Mr. GIBBS) and also the ranking member of the full committee, the gentleman from West Virginia (Mr. RAHALL), for their leadership on this issue. I am pleased to be a sponsor of this legislation.

I urge my colleagues to support H.R. 2018. We call this the Clean Water Cooperative Federalism Act of 2011. It is, indeed, a bipartisan effort. It has broad support from both Republicans and Democrats. It is a measure to restore some balance between the EPA, our Federal regulatory body that oversees the Clean Water Act, and our States, which are responsible for implementation of some of the important work that ensures that we have clean water.

□ 1440

Now, I know there is no one that wants to in any way degrade the quality of clean water, that wants to lower standards for emissions, you know, that is not a good steward of our environment. But there is no question that the action that we've seen from EPA has unleashed an unprecedented backlash. Everyone has called this a huge power grab by EPA. And EPA has indeed created a regulatory nightmare that affects almost every State in the Union.

Our goal here is to assure that the Federal Government sets standards and that we do have a proper role for implementing the Clean Water Act. And once States have taken action, have their plans approved, that there can be some sense of reliability and stability in the decision that EPA has concurred with. What we've seen now is EPA changing the rules after States have had a commitment and outline of the protocols that they must follow, raising complete havoc. In fact, the agency's actions could jeopardize more than $220 billion worth of annual economic activity which is subject to the Clean Water Act section 402 and 404 permits.

So again, this is almost an unprecedented regulatory grab, creating a potential nightmare, leaving projects on hold. And these projects have not only an environmental impact, but they also have a job and employment and economic impact in the United States at a very difficult time for our economy.

This bill has been very narrowly drafted to preserve the authority of States to make decisions about protecting water quality in their States, and to again impose some restrictions on EPA in this overreach and to try to prohibit some of the second-guessing or delays of actually implementing a State's water quality permitting process and the standards and decisions that they have made under the Clean Water Act. This is also all done after, again, EPA has already approved a State's program. So we have great concerns about what's taking place.

The impact isn't just Florida. I have a couple of articles here I will refer to. The reaction in the Sunshine News, which is published throughout Florida, our former U.S. Representative who served in this House, who is now the agriculture commissioner in Florida, he released a statement saying that EPA essentially ignores concerns about the effect implementation would have on Florida's economy. He supports a bipartisan effort to again back up the new rules with sound science.

So whether it's Florida, or—here's a Fox News report relating to Appalachia that says, ''Appalachian Coal Miners Say EPA Rules Are Killing Their Jobs.'' Another article in The Florida Times-Union, ''Scientists: EPA 'Race' to Protect Florida Rivers Could Leave Science Behind.''

So we join a chorus of numerous organizations. Mr. GIBBS talked about them. We have, again, a huge number of organizations, the U.S. Chamber of Commerce, American Farm Bureau, the National Mining Association, Associated Equipment Distributors, the Associated General Contractors of America, National Association of Manufacturers, groups from labor and others who also believe that this is an EPA overreach and will have a negative effect, both—and what we are hoping to achieve, again with having the States properly implement clean water regulations—but also a very negative impact on employment at a very precarious time in the economy of this Nation.

So I urge support of our bipartisan effort, and I ask my colleagues to support this bill.

Mr. RAHALL. Mr. Chairman, I yield 3 minutes to the distinguished Member from New York (Mr. BISHOP), the ranking subcommittee member on our Water Resources Committee.

Mr. BISHOP of New York. I thank the ranking member for yielding me time.

Mr. Chairman, I rise in strong opposition to H.R. 2018, the Clean Water Cooperative Federalism Act of 2011. Despite some of the arguments I have heard in favor of this legislation, H.R. 2018 has not been narrowly crafted to address issues related to nutrient criteria and surface coal mining. I echo the administration's opposition to this bill when I say that H.R. 2018 would significantly undermine the Clean Water Act and could adversely affect public health, the economy, and the environment.

While proponents of this legislation argue that the changes to the clean water permitting structure are targeted to address the development of nutrient criteria, such as in the State of Florida, the fact that this legislation is drafted to include any pollutant means that its reach extends to any discharge from any point source in any water body in the United States.

Under this legislation, EPA would also be prohibited from recommending stricter discharge standards for toxic pollutants such as lead or mercury, even if the protection of human health is at stake, unless the State consents to such changes. In my view, this policy does not move our Nation forward, but rather reverses our direction and moves our Nation back 40 years to before the enactment of the Clean Water Act.

Some of my friends would like to avoid a one-size-fits-all approach to regulating clean water. I would too. Luckily for us, the basic structure of the Clean Water Act already provides States enormous flexibility in setting water quality standards. Current law allows States to assume authority over day to day implementation of State permitting programs, and allows States to implement more stringent controls on pollution within their borders. The Clean Water Act merely sets the baseline minimum standard for water quality.

Prior to the Clean Water Act establishing a baseline, 70 percent of the Nation's waters were unsafe for fishing, swimming, or drinking. We are now at 30 percent of our waters in such a condition. And I very much doubt that any reasonable person would want to return to the days of 70 percent.

Some of my friends on the other side of the aisle have argued that this legislation is necessary because State authority to implement clean water programs is much improved since 1972, and States will do the right thing in protecting water quality. I agree that individual States have increased their capacity to protect the water quality within their States. However, I think it is also fair to suggest that the Clean Water Act has been essential to this Nation's efforts to double the number of waters meeting the fishable and swimmable standard since enactment of this statute in 1972.

In my view, elimination of the EPA's oversight and authority for minimum standards would allow a potential race to the bottom for the establishment of pollution discharge limits within a State border. We have seen disputes between States such as Arkansas and Oklahoma, or North Carolina and Tennessee. Among States like Alabama, Georgia, and Florida, the potential opportunities for one State to send its pollution downstream to another State are real and needs to be prevented.

Mr. Chairman, the role that Congress established for the EPA in the Clean Water Act has served our Nation well for almost 40 years. It has protected public health, and it has been an effective mechanism to protect the many businesses and industries that rely on clean water.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, July 12, 2011.

STATEMENT OF ADMINISTRATION POLICY: H.R. 2018—CLEAN WATER COOPERATIVE FEDERALISM ACT (REP. MICA, R–FL, AND 39 CO-SPONSORS)

The Administration strongly opposes H.R. 2018 because it would significantly undermine the Clean Water Act (CWA) and could adversely affect public health, the economy, and the environment.

Under the CWA, one of the Nation's most successful and effective environmental laws, the Federal Government acts to ensure safe levels of water quality across the country through the Environmental Protection Agency (EPA). Since the enactment of the CWA in 1972, the Federal Government has protected the waterways our citizens depend on by using its checks and balances authority to review and adjust key State water pollution control decisions, where necessary, to assure that they reflect up to date science, comply with the law, and protect downstream water users in other States. H.R. 2018 would roll back the key provisions of the CWA that have been the underpinning of 40 years of progress in making the Nation's waters fishable, swimmable, and drinkable.

H.R. 2018 could limit efforts to safeguard communities by removing the Federal Government's authority to take action when State water quality standards are not protective of public health. In addition, it would restrict EPA's authority to take action when it finds that a State's CWA permit or permit program is inadequate and would shorten EPA's review and collaboration with the Army Corps of Engineers on permits for dredged or fill material. All of these changes could result in adverse impacts to human health, the economy, and the environment through increased pollution and degradation of water bodies that serve as venues for recreation and tourism, and that provide drinking water sources and habitat for fish and wildlife.

H.R. 2018 would disrupt the carefully constructed complementary CWA roles for EPA, the Army Corps of Engineers, and States in protecting water quality. It also could eliminate EPA's ability to protect water quality and public health in downstream States from actions in upstream States, and could increase the number of lawsuits challenging State permits. In sum, H.R. 2018 would upset the CWA's balanced approach to improve water quality across the Nation, risking the public health and economic benefits of cleaner waters.

If the President is presented with this legislation, his senior advisors would recommend that he veto the bill.

U.S. ENVIRONMENTAL PROTECTION AGENCY,
Washington, DC, June 21, 2011.

Hon. TIM BISHOP,
U.S. House of Representatives,
Washington, DC.

DEAR CONGRESSMAN BISHOP: Thank you for the letter dated June 17th regarding H.R. 2018, the Clean Water Cooperative Federalism Act. Attached, please find EPA's legal analysis of this legislation.

If you have any further questions, please feel free to contact me at (202) 564–4741.

Sincerely,

ARVIN GANESAN,
Deputy Associate Administrator for Congressional Affairs.

TECHNICAL ASSESSMENT OF H.R. 2018

The bill would overturn almost 40 years of Federal legislation by preventing EPA from protecting public health and water quality.

This bill would significantly undermine EPA's longstanding role under the CWA to assure that state water quality standards protect clean water and public health and comply with the law. It would fundamentally disrupt the Federal-State relationship outlined in the 1972 CWA and would hinder the federal government's ability to ensure that states protect interstate waters at a common level. This could lead to upstream states implementing standards that degrade waters in downstream states.

This bill would prevent EPA from taking action without state concurrence even in the face of significant scientific information demonstrating threats to human health or aquatic life.

This bill would unnecessarily delay EPA approval of new or revised State water quality standards, even where there are no concerns, and could lead to a higher rate of EPA disapprovals.

The bill would prevent EPA from providing its views on whether a proposed project that pollutes or even destroys lakes, streams, or wetlands would violate CWA standards.

This bill would limit EPA from meeting its current CWA responsibility to facilitate disputes between States as to whether permit conditions protect water quality in all affected States.

This bill would restrict EPA from providing its views on proposed permits or taking necessary action under existing law to protect public health and water quality.

The bill would remove EPA's existing state coordination role and eliminate the careful Federal/State balance established in the current CWA.

Removing EPA's program oversight role is likely to reduce the quality of state-issued permits and may likely increase the number of lawsuits by citizens and environmental groups. This would shift the dispute resolution process from a productive state-EPA dialogue toward adversarial litigation.

Restricting EPA's authority to ensure that states implement their programs as approved may lead states to reduce the protection they provide to their waters, thereby leading to a ''race to the bottom'' that jeopardizes water quality and human health.

The bill would prevent EPA from protecting communities from unacceptable adverse impacts to their water supplies and the environment caused by Federal permits.

This legislation would remove EPA's ability to take action to protect communities from projects approved by the Corps of Engineers that would have unacceptable adverse effects to our nation's waters and public health. This would fundamentally disrupt the balance established by the original CWA in 1972—a law that carefully constructed complementary roles for EPA, the Corps, and states.

EPA has only used its CWA Section 404(c) authority 13 times in the nearly 40-year history of the CWA.

This bill would substantively eliminate the opportunity for EPA, the federal government's expert on water quality, to comment on Federal permits impacting water quality and public health.

This bill would greatly limit EPA's ability to provide constructive and expert comments to the Corps on Section 404 permit applications. The bill would reduce the quality of information available to EPA and the time available to review it, resulting in more frequent EPA objections based on lack of information and unnecessary delays in the permitting process.

This provision would require the Corps to adopt, through regulation, a more complex permitting process, which would add work for the Corps and uncertainty for applicants.

''. . . the Administrator may not promulgate a revised or new standard for a pollutant in any case in which the State has submitted to the Administrator and the Administrator has approved a water quality standard for that pollutant, unless the State concurs with the Administrator's determination that the revised or new standard is necessary to meet the requirements of this Act.''

This provision would significantly undermine EPA's ability to ensure that state water quality standards are adequately protective and meet Clean Water Act (CWA) requirements. It would fundamentally change the Federal-State relationship outlined in the 1972 CWA and would hinder the federal government's ability to ensure there is an equitable level of protection provided to our nation's waters.

The bill would generally prevent EPA, without State concurrence, from taking action to revise outdated State water quality standards. It also would prevent EPA from replacing difficult-to-implement narrative water quality criteria with more protective and easier to implement numeric water quality criteria. EPA would not be able to take action to promulgate new or revised WQS without State concurrence even in the face of significant scientific information demonstrating threats to human health or aquatic life.

This bill would slow the process by which EPA approves new or revised State water quality standards. If EPA were prevented from taking action to replace outdated standards, EPA Regions would need additional time in their review of new or revised state water quality standards. EPA would also be more likely to disapprove state standards if it was precluded from taking action to ensure their protectiveness in the future.

''With respect to any discharge, if a State or interstate agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate determines under paragraph (1) that the discharge will comply with the applicable provisions of sections 301, 302, 303, 306, and 307, the Administrator may not take any action to supersede the determination.''

This subsection would prevent EPA from ''superseding'' a State certification under Section 401 of the CWA, which applies to Federal licenses or permits. The meaning, context, and application of the word ''supersede'' is ambiguous.

Because of the provision's uncertain scope, it has the potential to prevent EPA from fulfilling its CWA responsibility to facilitate disputes between States as to the effectiveness of permit conditions in protecting all affected States' water quality.

This provision may reflect a misunderstanding of EPA's recent actions with respect to CWA Sections 401 and 404. EPA formally deviates from a State-issued 401 certification very sparingly. With respect to Section 404 permitting for Appalachian surface coal mining operations, EPA has provided comments to the U.S. Army Corps of Engineers with respect to EPA's water quality concerns. However, EPA has not taken formal action to ''supersede'' the State certification, so the practical effect of this provision is unclear.

''The Administrator may not withdraw approval of a State program under paragraph (3) or (4), or limit Federal financial assistance for the State program, on the basis that the Administrator disagrees with the State regarding—

''(A) the implementation of any water quality standard that has been adopted by the State and approved by the Administrator under section 303(c); or

''(B) the implementation of any Federal guidance that directs the interpretation of the State's water quality standards.''

This provision takes a significant step toward eliminating the requirement that states implement water quality standards in their NPDES permits, which is a critical tool in ensuring that our nation's waters remain fishable and swimmable.

The process of approving state NPDES programs is intended to ensure that they implement the minimum requirements specified in the CWA, thereby ensuring a more-or-less level playing field. Restricting EPA's authority to ensure that states implement their programs as approved could lead to a race to the bottom as each state seeks to ensure that their program is no more stringent than the least stringent state program.

The term ''implementation of any water quality standard'' is significantly ambiguous and would likely lead to litigation. This term could include a variety of functions, such as implementing state water quality standards in NPDES permits, implementing applicable Total Maximum Daily Loads (TMDLs), ensuring that states meaningfully implement their narrative water quality standards, or taking enforcement action.

States rely to varying degrees on narrative water quality standards, which are a practical solution to the infeasibility of developing a numeric standard for every pollutant of concern. EPA approval of narrative standards would be hampered if EPA could not then ensure their effective and meaningful incorporating into permits.

EPA is unclear about the practical effect of this provision. EPA has not withdrawn approval of a state program for the reasons outlined above for a significant period of time.

''The Administrator may not object under paragraph (2) to the issuance of a permit by a State on the basis of—

''(A) the Administrator's interpretation of a water quality standard that has been adopted by the State and approved by the Administrator under section 303(c); or

''(B) the implementation of any Federal guidance that directs the interpretation of the State's water quality standards.''

This provision would prevent EPA from objecting to permits that fail to implement significant provisions of the CWA. EPA's role in overseeing State CWA programs—a role dating back to 1972—serves a critical purpose by promoting national consistency and encouraging productive dialogue between EPA and states before permits are issued.

Removing EPA's oversight role is likely to reduce the quality of state-issued permits and would likely increase the number of lawsuits by citizens and environmental groups to remedy these inadequate permits. This would shift dispute resolution from a generally productive state-EPA working relationship to an adversarial litigation-driven process.

This provision appears to be motivated by a fundamental misunderstanding of EPA's recent actions with respect to Appalachian surface coal mining. EPA has not formally interpreted state narrative water quality standards or directed a specific interpretation of those state standards. Therefore, the

practical impact of this provision is questionable.

Section 404(c): ''Paragraph (1) shall not apply to any permit if the State In which the discharge originates or will originate does not concur with the Administrator's determination that the discharge will result in an unacceptable adverse effect as described in paragraph (1).''

This legislation would prevent EPA from taking action to protect the nation's aquatic resources from unacceptable adverse effects on municipal water supplies, shellfish beds and fishery areas, wildlife, or recreational areas without concurrence from the state. This would fundamentally disrupt the structure established by the original CWA in 1972—a law that carefully constructed complementary roles for EPA, the Corps, and the states.

EPA uses Section 404(c) as the action of last resort when no other approach works to prevent unacceptable impacts. EPA must follow a highly deliberative process (including an opportunity for significant public comment) in exercising its ultimate environmental review authority over CWA Section 404 permitting—and this authority only applies in cases where an activity will result in specific and severe adverse environmental effects.

EPA has only used its CWA Section 404(c) authority 13 times in the nearly 40-year history of the CWA, and EPA reserves use of this authority for only the most unacceptable cases. EPA's use of Section 404(c) has protected more than 73,000 acres of wetlands and more than 30 miles of streams from unacceptable adverse impacts.

In 2008, the Bush Administration used Section 404(c) to protect over 67,000 acres of wetlands in Mississippi—some of the richest wetland and aquatic resources in the Nation. This area includes a highly productive floodplain fishery, highly productive bottomland hardwood forests, and important migratory bird foraging grounds.

Similarly in 1990, the first Bush Administration used Section 404(c) to protect a portion of the South Platte River in Colorado which has extraordinary aquatic resource values and supports an outstanding recreational fishery which the State of Colorado designated a ''gold medal'' trout stream.

Many projects result in effects that cross state lines. In these cases, this bill would contribute to confusion as to which state must ''concur'' and could result in a situation where another State would unfairly bear the environmental costs associated with an activity.

States already have a powerful tool under Section 401 of the CWA to prevent projects from violating state water quality standards, and they are already provided an important role in EPA's Section 404(c) process.

''The Administrator and the head of a department or agency referred to in paragraph (1) shall each submit any comments with respect to an application for a permit under subsection (a) or (e) not later than the 30th day (or the 60th day if additional time is requested) after the date of receipt of an application for a permit under that subsection.''

This subsection would significantly reduce the opportunity for public and interagency participation in the Corps' Section 404 permitting process, especially by EPA.

For EPA, the agency entrusted with primary authority to implement the CWA, this bill would severely limit EPA's ability to provide constructive, informed comments to the Corps. Without access to complete information and adequate time to review and comment, EPA would be severely restricted in carrying out its CWA responsibilities.

Reducing the quality of information available to EPA and the time available to review it , would result in more frequent EPA objections based on lack of information, and unnecessary delays to the applications as the Corps works with the applicant to address EPA and others' less-informed comments.

This legislation would disrupt the current mechanism by which the Corps receives comments from federal agencies and the public. Implementing this legislation would require agencies to submit comments after the Corps receives an application, regardless of whether the application is complete. This would require the Corps to make changes to its regulations that would create a more complex permitting process, thereby adding work for the Corps and adding uncertainty for applicants as they navigate a less straightforward permitting process.

□ 1450

Mr. GIBBS. I yield 4 minutes to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I thank the gentleman for yielding.

I rise in strong support of H.R. 2018, the Clean Water Cooperative Federalism Act of 2011.

As a member of the Water Subcommittee and cosponsor of this bill, I applaud Chairman MICA, Chairman GIBBS, and Ranking Member RAHALL for bringing forward this important bipartisan legislation.

H.R. 2018 seeks to reverse the erosion of the States' authority and partnership with the Federal Government under the Clean Water Act. This well-established and effective partnership has come under increasing attack by the EPA under the Obama administration, and the EPA has progressively undermined the States' shared regulatory authority.

Our bill preserves the system of cooperative federalism established under the Clean Water Act, and in which the primary responsibilities for water pollution control are allocated to the States.

The bill restrict's EPA's ability to second-guess or delay a State's permitting in water quality certification decisions under the CWA once the EPA has already approved a State's program. We must put an end to the EPA's one-size-fits-all, and the economy stifling agenda.

This bill ensures a commonsense regulatory regime that protects our environment while at the same time protecting our Nation's farmers, miners, and other businesses critical to our economy.

This bill addresses one of the many areas in which the EPA has overstepped its authority and taken actions that are deeply hurtful to our economy.

In my State of Pennsylvania, the EPA has increased its interference with the Commonwealth to unprecedented levels, creating numerous delays and problems for the Commonwealth and our Department of Environmental Protection, with no scientific basis or environmental payoff.

I received copies of numerous letters from the Pennsylvania DEP Secretary Krancer to the EPA citing EPA's interference and unwillingness to collaborate with the State on the issues that they have led on for three decades.

The first example is regarding the National Pollutant Discharge Elimination System, or the NPDES, permits, which has been a problem with several States in addition to Pennsylvania. Pennsylvania DEP has had the primary authority over the NPDES permitting program since 1984, and the EPA has just recently started to interfere in the Pennsylvania program, specifically in mining-related permits.

The EPA has specifically increased their permit review of mining-related permits under a new guidance, which relies on unsettled science. This is causing long delays in the permitting process with no environmental benefit and is costing Pennsylvania jobs and economic benefits.

The Pennsylvania House of Representatives recently passed a resolution stating the EPA is overstepping DEP without any Federal legislative or regulatory changes to support this increased oversight. This resolution reasserts Pennsylvania's primary role over the NPDES permitting in the State.

The EPA has refused to work with the Pennsylvania Department of Environmental Protection on Chesapeake Bay issues to address several problems with the EPA's model that do not accurately reflect Pennsylvania's unique issues. A letter from Secretary Krancer to Lisa Jackson states, ''PA DEP and our municipality stakeholders have been frustrated with EPA's continued failure to acknowledge the challenge of Pennsylvania's unique municipal structure. Pennsylvania does not agree the TMDL development effort has been collaborative.''

Again, there was an EPA letter to the DEP citing DEP's concerns with the State's handling of wastewater for the Marcellus drilling, excessively overstepping the DEP, criticizing their approach, and demanding to direct Pennsylvania's sampling and monitoring programs. It seems the EPA is listening more to The New York Times than the State regulatory agencies that are actually regulating and monitoring the issues on the ground.

The CHAIR. The time of the gentleman has expired.

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

Mr. SHUSTER. The EPA, along with other Federal agencies, continues to grab for more authority, overriding long-standing State policies and roles in regulating oil and gas exploration and environmental protection, in particular States such as Pennsylvania, with long-standing and respected programs.

The EPA needs to back off. Pennsylvania issues are completely different than Texas issues, and no one knows Pennsylvania or wants to protect Pennsylvania better than the State agencies working to protect it.

I strongly support H.R. 2018 and, again, congratulate Mr. GIBBS on a job well done on this legislation.

THE GENERAL ASSEMBLY OF PENNSYLVANIA—
HOUSE RESOLUTION NO. 87

A RESOLUTION

Urging the Environmental Protection Agency to stop its unlawful application of the Guidance Memo relating to the Federal Water Pollution Control Act, which is a substantive change to the permitting procedure conferred on the states, and restore the regulatory environment that existed prior to the release of the Guidance Memo.

Whereas, Under section 402 of the Federal Water Pollution Control Act (62 Stat. 1155, 33 U.S.C. §1342), National Pollutant Discharge Elimination System (NPDES) permits are typically issued by states for discharge of nondredged and nonfill material; and

Whereas, Once the Environmental Protection Agency (EPA) approves a state permitting program, the state has exclusive authority to issue NPDES permits; and

Whereas, Through a 1991 Memorandum of Agreement executed between the Commonwealth of Pennsylvania and the EPA, the Department of Environmental Protection (DEP) was identified as the lead agency with exclusive authority for administering and granting NPDES permits for mining-related activities in this Commonwealth; and

Whereas, In September 2010, the EPA informed the DEP that it was altering the Commonwealth's administration of its permitting program and would conduct its own additional review of NPDES permits; and

Whereas, This abrupt change in the Commonwealth's permitting process was not the result of any accompanying Federal statutory or regulatory changes; and

Whereas, As a result of this change, the DEP is required to provide the EPA's Region 3 field office with all pending mining-related NPDES permit applications, whose activity will either discharge into the Monongahela River or into any designated total maximum daily load impaired stream for its independent review; and

Whereas, The EPA's Region 3 field office is not sufficiently staffed to perform these types of reviews in a timely manner, causing indefinite delays in the permitting process; and

Whereas, The EPA's objections to the issuance of these permit applications vary, but generally are based on what the Federal agency perceives are inconsistencies between the applications and an interim final Guidance Memo that the EPA released in April 2010, designed to provide a framework for regional reviews of surface mining projects in Appalachia based on conductivity levels it associated with adverse impacts to streams; and

Whereas, Although the stated intent of the Guidance Memo is to limit its applicability to surface mining projects only, a number of the permits being delayed in this Commonwealth are for activities other than this type of mining; and

Whereas, The Guidance Memo is based on flawed studies with limited application and unconfirmed conclusions that cannot be used to develop a predictive cause and effect relationship between the EPA's established benchmark threshold for conductivity levels and healthy streams in this Commonwealth; and

Whereas, Despite the representation that the Guidance Memo is an interim document, it nevertheless is applied by the EPA in a binding manner in its current version, even though the EPA continues to receive comments on it; and

Whereas, The EPA's application of the Guidance Memo constitutes a substantive change in the basic application of the permitting process; and

Whereas, By substituting the issuance of agency guidance for formal rulemaking, the EPA circumvents the clear requirements of the Administrative Procedure Act (60 Stat. 237, 5 U.S.C. 551 et seq.) for public notice and comments; and

Whereas, This unnecessary extended review of NPDES permit applications by the EPA has led to a significant backlog of permits that could result in coal contracts being lost, mining jobs being destroyed and this Commonwealth losing its major source of affordable and reliable electric generation; Therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania urge the Environmental Protection Agency to stop its unlawful application of the Guidance Memo relating to the Federal Water Pollution Control Act, which is a substantive change to the permitting procedure conferred on the states, and restore the regulatory environment that existed prior to the release of the Guidance Memo; be it further

Resolved, That the Commonwealth of Pennsylvania reassert its rightful role as the sole agency with permitting authority of mining-related National Pollutant Discharge Elimination System permits; and be it further

Resolved, That the Chief Clerk of the House of Representatives transmit a copy of this resolution to the Governor of Pennsylvania, the Environmental Protection Agency Administrator and all members of the Pennsylvania Congressional Delegation.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the distinguished member of our Transportation and Infrastructure Committee, the gentleman from Pennsylvania (Mr. HOLDEN).

Mr. HOLDEN. I thank my friend from West Virginia for yielding.

Mr. Chairman, I rise in strong support of H.R. 2018. The Clean Water Act created a partnership between the States and the Federal Government to keep our waterways healthy. However, the EPA has repeatedly tried to impose Federal standards on individual States.

In Pennsylvania, the EPA imposed an unachievable one-size-fits-all standard for water quality that ignores the economic concerns of our farmers, energy producers, small businesses, and local governments. This could cost Pennsylvania thousands of jobs and threaten our energy production.

This bill restores the balance between the States and the EPA as co-regulators under the Clean Water Act. States and local governments are dependent upon Congress to remove regulatory roadblocks to economic growth and job creation in local communities while protecting our vast natural resources. This legislation is essential to providing much-needed certainty to support investment that will create jobs in American mining, manufacturing, agriculture, and related industries that have borne the brunt of EPA's regulatory overreach and interference with State Clean Water Act permits.

Mr. Chairman, I urge adoption of the resolution.

Mr. GIBBS. I yield 1 minute to the gentleman from New Hampshire (Mr. GUINTA).

Mr. GUINTA. I want to thank Subcommittee Chairman GIBBS for yielding me time to speak on this bill. I would also like to thank both Chairman MICA and Ranking Member RAHALL for working in a bipartisan way to address this very important issue.

Mr. Chairman, the first bill that I authored when I came to Congress was the Great Bay Community Protection Act, just a smaller and more focused version of a bill in the House that this bill is addressing today, the Clean Water Cooperative Federalism Act of 2011.

I am proud to be a cosponsor of H.R. 2018. I think this bill amends the CWA to preserve the authority of each State to make determinations relating to the State's water quality standards and to restrict EPA's ability to second-guess or delay a State's permitting and water quality certification decisions under the CWA in several important respects.

This legislation will help seven communities in my State of New Hampshire save $250 million in ensuring that we focus on clean water standards, but allowing the State to do so in a timely manner.

I strongly urge passage of this legislation.

Mr. RAHALL. I am honored to yield 1 minute to another distinguished member of our T&I Committee, the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. Mr. Chairman, I rise in support of this bipartisan bill, which was crafted and introduced with job protection and regulatory clarity as its top priorities.

The Clean Water Act originally created a working relationship between the Federal Government and the States. But recently that relationship has been undermined by unnecessary intervention by the EPA.

When the government imposes impossible standards on job creators, the entire economy suffers. Businesses go through rigorous processes to receive permits from State governments to proceed with work that creates jobs and provides revenue to local governments, only to be undercut at the last minute by EPA regulations that do not take into account local context or economic impact.

My colleagues should vote ''yes'' on this bill to prevent this further EPA overreach.

Mr. GIBBS. I yield 2 minutes to the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. I thank the gentleman from Ohio for yielding.

Mr. Chairman, I come to the floor today to express strong support for H.R. 2018. I commend Chairman MICA and Ranking Member RAHALL for their hard work in crafting a bill that brings back a sane balance between the States and Federal regulators.

By the EPA's own admission, Mr. Chairman, current regulations will cost the United States $109 billion by the end of year 2020. In areas of the Sixth District of North Carolina, EPA currently has the ability to second-

guess or delay the State's Clean Water Act permits, even though it has already approved the State's program.

It is furthermore important to note that the American Farm Bureau Federation, as the gentleman from Ohio previously mentioned, strongly supports this legislation that I believe we need to keep the EPA off the family farm.

□ 1500

Current EPA regs will have a disastrous effect on farmers and quarry owners and will add tremendous costs and delays to commercial, residential, and infrastructure projects.

Mr. Chairman, I urge passage of H.R. 2018.

Again, I thank the gentleman from Ohio for yielding.

Mr. RAHALL. Mr. Chairman, I am happy to yield 4 minutes to a former member of our Transportation and Infrastructure Committee, now a member of the Ways and Means Committee, the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Still a member in my heart, of the Transportation Committee, Mr. RAHALL. I appreciate your courtesy in permitting me to speak on this.

I've been listening to debate on the floor, and I really could not disagree more with the proponents of this legislation. They would seek to overturn a 40-year record of trying to get people to follow the law. Look at the record of what States have done over the course of the last 100 years dealing with water quality. And it isn't that the Federal Government overreached and the States had done too much. We have the Clean Water Act because the States consistently failed to meet their obligations.

Today, there are wide variations around America in terms of how zealously individual States take their responsibility and how they balance. There's tremendous pressure for short-term economic gain at the expense of the environment. And in some parts of the country, it doesn't bother them to bulldoze mountaintops into streams. And, in fact, EPA has not been vigilant in dealing with that. It's only been recently that we are starting to have people come to grips with this issue.

It is important that EPA has the opportunity to withhold—to have some sanction—when States don't follow through on their plans. This bill would take away the ability of EPA to have sanctions. It's important that we have a third party to be able to do some mediation when there are differences between States. This is not something that is confined to Pennsylvania or West Virginia or Oregon, because our waterways are interconnected. They transcend boundaries. We need to have the Federal Government making sure that, at a minimum, there are reasonable standards that are enforced and that the plans that one administration on a State level commits to are actually followed through.

You don't have to spend very much time on Google to find out that there are places around the country right now where local authorities and where State authorities are not meeting the highest standards of water quality.

I strongly suggest that this is a step backward. Luckily, it's not going to be enacted into law. The administration would veto it. I can't imagine it gets very far in the other body.

Frankly, looking at the list of the organizations, the list that was cited of the people who support this, they are not the people who have championed clean water. They're the people that want looser restrictions, that want to be able to pollute more, and that want to be able to make their own decisions. But the people who care about fish and wildlife, the people who care about environmental protection, and the people who care first about the health and welfare of the American public, they are uniformly opposed to this legislation.

Mr. Chairman, this is important business. There are economics involved with protecting the environment. In State after State, there's a lot of money to be made by having healthy hunting and fishing. There is money to be saved by having healthy waterways and healthy communities. And if we don't stop the pollution in the first place, then that puts the burden on local communities to spend more on water quality and water treatment.

I strongly suggest my colleagues take a hard look at the history of the last 40 years. Look at the uneven application of the Clean Water Act at the State level. Look at how a judicious approach on the part of the Federal Government has helped promote compliance. Even the so-called veto power of EPA has been invoked only 13 times in 38 years.

This is a bad bill. It should be rejected.

Mr. RAHALL. Mr. Chairman, I am ready to close. As we have no further requests on my side under general debate, I will give my closing comments now.

How much time do I have remaining, Mr. Chairman?

The CHAIR. The gentleman from West Virginia has 17½ minutes remaining.

Mr. RAHALL. This is about the process, as I described in my opening comments, not the policy. This bill is not about whether the Members of this body support clean, safe water. We all support clean, safe water. I do not know a single Member in this House that wants to turn back the clock on the gains that this Nation has made in the last 40 years to clean up our rivers and streams. This bill is about process and precedent. It is about whether we should be allowing one Federal agency to run roughshod over the law, over the States, and over other Federal agencies to set policy according to political ideology. Now, I do not think we should be allowing any agency of our Federal Government to be run in that manner.

If this Congress allows the EPA to push the envelope in circumventing the law, in circumventing public comment and public participation, it lays the legal groundwork for the next administration to do the exact same thing—maybe under the guise of cleaner air and cleaner water, maybe under the guise of lowering those standards. But the precedent that would be set could be devastating. By not taking action, the Congress is tacitly giving the EPA the authority to do what it deems politically necessary, and that is something that this and every Congress has the responsibility to resist.

So this bill, Mr. Chairman, is not about whether any Member in this institution supports the ends that the EPA is trying to reach. It is about whether or not we believe that we should be allowed to use any—any—means to reach those ends. And I do not believe they should.

There are plenty of Members on this floor today who believe that the intentions of the EPA with respect to its mission to ensure clean water are noble. I put myself in that category. But we all have to worry when an agency goes to such lengths to circumvent the Congress and the rulemaking process so as to impose its own agenda, because after the next election or the election after that or the election after that, some future EPA may not have such noble intentions. And if we fail to stand up today, we will suffer the consequences of our inaction later.

This bill is about transparency. It does not tell the EPA they cannot effect improvements in water quality. It says that they cannot do it without letting the people—the people—have a voice in the process. That's the way the rulemaking process is intended to work. But this EPA has effectively thwarted that process and thumbed its nose at the people by issuing guidance and treating it like regulation.

As I said in my opening comments, I wish we were not here on this bill today. I wish it would not be necessary. I would much rather see a cooperative Federal relationship among the agencies and the Federal agencies with the States and with the industries involved, but that has not occurred. And, therefore, it has created an era of mistrust, distrust, and bitterness, an outright scared attitude among our coal miners whether or not they will have a job next year or even tomorrow and for how long their current job will last.

With that, Mr. Chairman, I do conclude by speaking in support of this legislation, and I yield back the balance of my time.

□ 1510

The CHAIR. The gentleman from Ohio has 12 minutes remaining.

Mr. GIBBS. Mr. Chairman, I think what this bill is addressing, we have 21st century problems and challenges, and we are looking for 21st century solutions. I want to lay out the facts to have a little more clarity, and I appreciate my colleague from West Virginia's support of the bill.

We have to realize that the State EPAs have to have an approved plan by the Federal EPA. That is the framework that they are working under, and you just can't have the Federal EPA come in during the ball game and try to change the rules and undermine the efforts of the State EPAs.

I want to comment regarding the gentleman from Oregon's comments that we are going to go backwards and we have made progress in the last 40 years, and the States didn't do anything in the last 40 years or before. Let's remember what happened prior to 1972.

I grew up 12 miles from the city of Cleveland and the Cuyahoga River. I remember when the Cuyahoga River caught on fire. I remember as a child when I couldn't go down and swim in Lake Erie any more because raw sewage was going into Lake Erie. Those events caused this Congress to pass the Clean Water Act and establish the U.S. EPA and also give authority for the States to set up their programs. Prior to that, nobody was concerned about the environment and we didn't have the so-called environmental movement where we are all concerned about having clean water.

Since then, we have made tremendous progress. On point-source pollution, we have made tremendous progress. On discharges, we don't have the discharges going into our lakes and rivers and streams like we did 40 years ago. We have made significant progress addressing nonsource-point pollution. Now, that is not to say that we don't have more challenges.

I want to talk about one size fits all, and the U.S. EPA has an agenda right now that is overreaching. They want to set policies and parameters that fit for everybody to work under. I will give you an example. The numerical nutrient standard, and let's take phosphorus and nitrogen. You hear a lot about phosphorus sediment pollution in our lakes and rivers. To go in there and set a number, a numerical number that they can't exceed that, discharge at that level, causes some problems.

For the last 40 years, we have been operating under something called the narrative standard. States can go in there and look at what is going on in that watershed or that stream or that river. I can tell you, in every river and stream in this country, there are different things happening. The biology is different. The pH is different. The water temperature, water flow is different. The sunlight. A whole host of things. They can incorporate that and come up with a plan on how to address that in their local locale.

When you set a number at such a high level, it creates a situation where the States can't attain it; it's not possible. We have seen that happen in Florida, and that is why Florida has litigation pending because they set one size fits all. Whereas Florida, ironically, was moving to a point to set a numerical standard, but they wanted to address and incorporate what I call the narrative standard so they could address what is happening in each locale and not a huge region to address those differences that are happening in that stream or that river. So one size fits all doesn't work. It causes problems, and it will make us to go back, impacting the progress we've made in the last 40 years.

Now, in this bill we also talk about the permitting issue. One of the most egregious things that I have seen since I have been in Congress since January was a revocation of a permit. Yes, it was in West Virginia. It was a coal mine operation that went through 10 years of an environmental impact study, got their permit in 2007, and then 3 years later the permit was revoked, not because they were in permit violation. The Army Corps of Engineers testified in my committee that there were no problems. The State, West Virginia EPA didn't support revoking that permit. I really don't know why they revoked that permit other than it was maybe on an agenda of somebody. But they were not in violation of the permit.

It is one thing to revoke a permit when you are in violation of a permit, but when you are not in violation of the permit, to take that permit away, it sets a very dangerous precedent; because the dangerous precedent it sets across our entire economy, if you're an entity or an enterprise and you have to have a permit from the Federal Government to be in business, and if that Federal Government at the whim of some bureaucrat or the administration comes and pulls that permit any time they want to, who is going to risk capital and make that investment, create jobs, knowing that they could be shut down tomorrow because the permit is not there to stay in business?

That is what this bill addresses. They have to get concurrence. The U.S. EPA would have to get concurrence from the State EPA to support that revocation to shut that business down.

So this is really a jobs bill. We are trying to relieve uncertainty so people know what the playing field is. I can tell you, I think the State EPAs can do a better job in their locales, because they know what is going on there, than to have a one-size-fits-all policy by the Federal Government and an overreaching and burdensome regulatory climate that kills jobs, kills economic investment, and, like I said, kills jobs.

So that is why I think it is important to move this bill forward. This is a jobs bill.

We have sent several bills over to the Senate that are jobs bills. I urge the Senate to take them up because we have unemployment at 9.2 percent and rising.

I think it is important for people to have an opportunity to have a job and economic opportunities. We need the Federal Government to create the environment for what I call the job creators to have that confidence, to make those investments and start hiring people back and growing their businesses.

This bill is really important to encourage cooperative arrangements working among the Federal EPA and the State EPAs.

I was really floored in the committee hearings we had where we had State EPAs come in—and some of them were from the other side of the aisle from me—and testify against the Federal EPA on their actions and their overreach.

You know, a strong economy—some people don't understand this, although I say this a lot. A strong and growing economy will provide the resources to invest and protect and enhance the environment. An economy that is struggling right now, it makes it tougher to have those resources. As an example, you look at some Third World countries where their biggest challenge is feeding their people, they don't have the resources to build sewage treatment plants and water filtration systems and do other things to protect the environment. We have the resources, and we have a strong, growing economy, and we should be working with those businesses because most businesses and most people want to do the right thing. Everybody wants clean water and clean air.

So I take exception to the comments of my colleague from Oregon who said that we are not protecting the environment. I think a strong, growing economy does protect the environment, and I think the regulatory policies are in place at the State levels because the States are set up to do it now, different than 40 years ago, to regulate and also enforce environmental protection laws, whether it is mountaintop mining or whatever it is. We have the rules in place.

In Ohio, when I was in the State Senate 2 years ago, we passed comprehensive legislation to add additional regulation on the oil and gas industry to protect our groundwater, our water aquifers, and our surface water. And we did.

I am really encouraged now, the potential we have with the Utica shale and the Marcellus shale to make us closer to being energy independent and not dependent and shipping almost a trillion dollars a year away to other countries, some of which don't really like us very much. We have an opportunity to have a strong, growing economy and provide the energy, but also protect the environment at the same time. We just have the regulatory process in place, and I think this enables a stronger regulatory process because it emboldens the State EPAs to do their job and work cooperatively with their partners in Washington, D.C.

Mr. PRICE of North Carolina. Mr. Chair, today, the House is considering H.R. 2018, the so-called Clean Water Cooperative Federalism Act. This bill, which represents the latest attempt by the House to weaken the Environmental Protection Agency, could just as easily be called the "Dirty Water Act."

Since 1972, the Clean Water Act, which is one of the nation's most successful and effective environmental laws, has protected the waterways Americans depend on for fishing, swimming, and clean drinking water. H.R. 2018 would overturn almost 40 years of federal protection by preventing the Environmental Protection Agency from safeguarding public health and protecting water quality. It also would undermine the agency's authority to ensure that state water quality standards comply with the law. What's at stake here is not federal oversight versus state's rights, but rather clean water versus dirty water.

In case anyone is wondering why the Congress might consider such a bill, consider this example: coal companies want to conduct mountaintop removal mining in Appalachia and dump the waste they generate into Appalachia's streams and waterways. The EPA has rightly declined to classify this waste as fill material. Should the financial interests of a few coal companies outweigh the environmental and public health interests of the people of the entire region?

Rather than weakening our federal clean water protection laws, we should be strengthening these laws to protect our oceans, rivers, lakes and streams. I urge my colleagues to vote against H.R. 2018.

Mr. VAN HOLLEN. Mr. Chair, I rise in strong opposition to today's legislation, the so-called ''Clean Water Cooperative Federalism Act,'' which represents another effort on the part of this Republican Majority to systematically dismantle environmental protections by eroding EPA authority under the Clean Water Act.

The Clean Water Act is a partnership between federal and state authorities to maintain water quality standards across the nation. But it also provides a federal backstop if states cannot or will not effectively enforce those standards.

As we all know, water does not stop at the state line. Policies in one state upstream will affect water quality in another downstream. This is a serious issue in my state of Maryland, where the Chesapeake Bay feeds from a watershed that includes six states and the District of Columbia. Inadequate environmental protection in any of those states can have grave consequences for the health of the nation's largest estuary.

It is not difficult to imagine the costs of dismantling Clean Water Act authority. Prior to its enactment in 1972, our nation's waters were in crisis. Lake Erie could not support aquatic life. A floating oil slick on the Cuyahoga River caught fire. Industrial polluters used lakes and streams as dumping grounds for dangerous chemicals and two-thirds of our nation's lakes, rivers, and coastal waters were unsafe for fishing or swimming.

The Clean Water Act was a simple and powerful solution—a baseline for water quality with a federal safety net in the event of state inaction. For nearly 40 years, this approach has helped preserve access to safe water to all Americans. There is no reason or justification to roll back those protections today. I urge my colleagues to vote against this bill.

Mr. KUCINICH. Mr. Chair, I rise in strong opposition to H.R. 2018, which would be more appropriately titled the ''Giveaway to Developer and Coal Company CEOs Act.''

This bill removes protections for our nation's waters that were absolutely essential to the progress we have shown so far in cleaning up Lake Erie and the rest of the Great Lakes. The Great Lakes comprise 21 percent of the world's fresh water supply. Lake Erie is the shallowest and smallest, and therefore the most vulnerable of the Great Lakes and it is our primary water source in Northeast Ohio. 'We cannot afford to go back to days when the Cuyahoga River caught fire because it was so polluted. Already, 77 percent of all stream-miles in the Lake Erie basin are unprotected.

Lake Erie is not only crucial to our health, but to our economy. It generates 10 billion dollars per year in revenue through travel, tourism, wildlife watching, boating, sport and commercial fishing and other activities. One out of every ten jobs in the state is connected to Lake Erie. This economic activity generates 676 million dollars in federal tax revenue, 410 million dollars in state tax revenue and 347 million dollars in local tax revenue annually. Lake Erie is our Golden Goose. We must protect it at all costs.

This bill also removes the EPA's ability to clamp down on the worst mountaintop removal polluters. These coal mines, which remove entire mountains to get at the coal, are on their way out. There is no room in this country's energy portfolio for coal. Coal is a major contributor to the environmental, national security, and economic problem that is global warming. It would be difficult to underestimate the urgency of shutting down coal power plants immediately for that reason alone. But coal also devastates communities with open toxic waste holding ponds and with air emissions that create or exacerbate asthma and respiratory disorders. Coal mines kill its miners and leave them with Black Lung. Mountaintop removal fills streams and destroys entire ecosystems, contaminating drinking water supplies with carcinogens and other toxic chemicals in the process. Coal is the single biggest reason that so many of the fish species that were an important part of the diet for billions of people are contaminated with mercury levels that are so high, they can cause IQ loss and birth defects. This bill will take the woefully inadequate environmental protections in place and weaken them.

Coal is not even defensible from an economic standpoint. More jobs are created by renewable energy creation, which is being explored in many mountaintop mining communities, than by coal-based energy.

If communities, workers, the health of families, the ecosystems on which we rely, drinking water and atmospheric stability do not benefit from this bill, who does?

Developers will be able to build in more areas that are critical for drinking water protection and protection from floods, even though we are now saddled with a surplus of housing and commercial unit availability because of the bursting of the housing bubble. And mountaintop removal mining companies will be able to spend even less on protecting the communities from which they siphon money, livelihoods, and health. Profits and shareholder returns, undoubtedly, will benefit handsomely.

Bills like these take the wealth of this country and funnel it upward. I urge my colleagues to reject this bill.

Mrs. ADAMS. Mr. Chair, I rise in strong support of H.R. 2018, the Clean Water Cooperative Federalism Act of 2011. The Clean Water Act was designed to be a partnership between the federal government and individual states to keep our nation's waterways healthy and safe. For too long, however, the Environmental Protection Agency has imposed burdensome regulations that harm job creation and are not realistic in implementation.

Recently, Florida has been at the center of a fight over water quality standards with the EPA, a federal regulatory agency that has attempted to impose impractical federal water quality standards over the State's objections. Rather than adhering to the state-federal partnership originally established under the Clean Water Act, the EPA has repeatedly undermined that partnership to the detriment of states like Florida. Should their regulatory overreach be allowed to continue, tens of thousands of jobs throughout Florida would be affected, hurting both Central Florida families and small businesses.

H.R. 2018 preserves the authority granted to each state by the Clean Water Act and halts the EPA's proposed ''numeric nutrient'' regulations. Congress has a responsibility to the states to ensure that regulations which hamper job growth and stifle our economy are removed. For these reasons, I am proud to support this much needed legislation.

Mr. LEVIN. Mr. Chair, I rise in strong opposition to the bill before the House today. The authors of this bill call it ''The Clean Water Cooperative Federalism Act,'' but this legislation has nothing whatsoever to do with clean water. A better name for this bill is ''The Dirty Water Act.''

In 1969, the Cuyahoga River in Ohio—one of the tributaries of the Great Lakes—caught fire, and became a symbol of everything that was wrong with the patchwork system of state water laws that existed at the time. Water pollution does not respect state boundaries and that patchwork of poorly enforced state laws nearly killed the Great Lakes and resulted in rivers and streams that were unfit to swim and fish in.

In 1972, Congress passed the Clean Water Act and replaced the state patchwork approach with a national system of water quality standards. The Clean Water Act has worked. Over the last four decades, we've made real progress in reducing water pollution and are well on the way to meeting the Act's goals of making our nation's waters fishable, swimmable, and drinkable.

In my own District in Southeast Michigan, we've seen extraordinary progress in reducing water pollution. As just one example, in the 1970s and 1980s, the Clinton River was extraordinarily polluted. The River was dying and the beaches downstream on Lake St. Clair were unsafe for swimming. Thanks to the Clean Water Act and the work of many people at the local level, the Clinton River is making a comeback. Pollution is being steadily reduced. Fish are returning, and the river is once again becoming a recreational asset to the communities along its banks. There is more work to do, but the progress is there for all to see.

The bill before the House goes in exactly the wrong direction. Instead of building on the Clean Water Act, this legislation takes us backwards to the bad old days when there was a patchwork of state water laws and little enforcement when state standards fell short. In particular, the bill would make it harder to take action against emerging threats to waterways. For example, for a number of years now, a large dead zone has formed each

summer in Lake Erie. The problem appears to be getting worse and it is not yet clear what steps will be necessary to combat it. Even now it is evident that we will need a coordinated plan of action involving many states, but this legislation will make taking concerted action that much more difficult.

I urge defeat of this bad bill.

Mr. CONNOLLY of Virginia. Mr. Chair, for the last seven months this nation's economy has stagnated while the Republican majority has passed a litany of bills repealing environmental standards on behalf of oil and coal companies. Today we have another anti-environment bill before the House, predictably misnamed, in the finest Orwellian tradition, the ''Clean Water Cooperative Federalism Act.'' This bill is a case study in irony: After seven months of blaming economic malaise on regulatory ''uncertainty,'' this bill would eliminate predictable and consistent national clean water standards in favor of an uncertain state-based patchwork of regulations. This bill would be more appropriately titled the ''Consistency is the Hobgoblin of Small Minds Act,'' because its elimination of any regulatory certainty flies in the face of seven months of Republican rhetoric. On the other hand, as an assault on the environment which benefits Republican campaign donors, it is utterly consistent with the majority's modus operandi.

The majority claims to support an ''all of the above'' energy strategy, and that is accurate if we accept the Republican premise that coal and oil constitute the totality of America's energy portfolio. After passing countless bills to repeal clean air and water regulations for oil companies, this bill is focused on repealing clean water standards for the coal and mining industry. My colleagues who are not from Virginia, West Virginia, or Kentucky may not be familiar with the ravages of mountaintop removal, and if they aren't I would encourage them to look at a satellite photo of our region before they vote for this bill. Following Bush Administration abrogation of its responsibility to administer the Clean Water Act, destruction of the Southern Appalachian mountains has accelerated. For example, Wise County, Virginia has had 25 percent of its land area obliterated by mountaintop removal: According to the Nature Conservancy, Southwest Virginia is one of the two most biodiverse regions in America, along with Hawaii. Mountaintop removal is eliminating that region's biodiversity very efficiently. What used to be extraordinarily productive mountains in my state now resemble a moonscape of man-made plateaus and valleys filled in with rubble.

The purpose of this bill is to prevent Clean Water Act regulation of those ''valley fills'' which mining companies use to dispose of former mountains. Valley fills should be a clear violation of the Clean Water Act, and under the Obama Administration the EPA and Army Corps have finally begun to comply with the law and regulate them. This legislation would block that federal regulation which is necessary to protect life and property in Southwest Virginia and other parts of Appalachia.

This legislation would have other negative consequences beyond destroying one of America's greatest and most threatened regions. It is written in such a broad manner that it could allow unregulated destruction of intermittent and ephemeral streams, lakes and prairie potholes, and subterranean waters such as those that are common in places like Virginia's Shenandoah Valley. I strongly encourage my colleagues to reject this legislation.

Mr. WEST. Mr. Chair, I rise to commend my colleague from Florida on his decision to withdraw his amendment to the Clean Water Cooperative Federalism Act.

Like all Floridians, I want clean and safe water. However, the EPA's new Numeric Nutrient Criteria regulations are not over whether we want clean water for Florida; it is over how we reach that goal and at what cost.

For several years now, Florida has been working to improve its water quality. Until 2009, Florida was working cooperatively with EPA to improve our water quality standards.

However in 2009, in an attempt to settle a lawsuit brought by environmental groups, EPA decided to abandon that cooperative approach, federally preempt our state water quality standards, and impose new criteria on the state.

Many are concerned that these new Numeric Nutrient Criteria are not based on sound science, including EPA's own Science Advisory Board, which has expressed serious concerns about the science used by EPA to support the regulation.

The EPA has repeatedly refused to allow third-party review of the science behind the proposed mandate, and they have failed to complete an economic analysis.

This EPA mandate will drive up the cost of doing business, double water bills for all Floridian families, and destroy jobs. By some estimates, this will cost Florida taxpayers an estimated $21 billion and impact over 14,000 jobs in the state.

The Florida Department of Environmental Protection estimates that this federal mandate may force municipal wastewater and storm water utilities—many in my Congressional District—to spend as much as $26 billion in capital improvements to upgrade their facilities. These costs will be passed down to the citizens of South Florida.

Given the reality of Florida's economic situation, this is completely unacceptable.

This morning I placed a call to Ron Bergeron, the Commissioner for the Florida Fish and Wildlife Conservation Commission and renowned expert on the Everglades, to discuss this amendment and the underlying EPA Numeric Nutrient Regulations.

Commissioner Bergeron told me in no uncertain terms, I quote, ''The EPA is setting standards that can hardly be achieved. Water standards of 10 parts/billion required by the Numeric Nutrient Criteria is more stringent than rainwater, which is 15 parts/billion, and is a quality of water that is humanly impossible to achieve. EPA is doing things that could possibly shut down the State of Florida.''

Let me repeat what Commissioner Bergeron stated—''EPA is doing things that could possibly shut down the State of Florida.''

Like all Floridians, I cherish the Everglades—a unique wetland ecosystem—and want to protect and preserve it for future generations of Floridians.

I applaud my colleague from Florida for recognizing that his amendment would have been an attempt to use the Everglades as a political pawn to give the EPA the authority to have carte blanche on setting state-wide water regulations—regulations that Commissioner Bergeron said are humanly impossible to achieve, and thus withdrawing his amendment.

EPA's flawed regulation must be set aside so that the state government can return to an effort to improve Florida's water quality that is cooperative, economically feasible, and based on sound science.

Ms. SCHAKOWSKY. Mr. Chair, I rise today to voice my strong opposition to H.R. 2018, the so-called ''Clean Water Cooperative Federalism Act.'' This bill is neither cooperative nor does it promote clean water.

The American people expect and deserve protection from dirty air, tainted food, and polluted water. The problem with relinquishing federal authority over environmental regulations is that these threats don't stop at state borders. The EPA recently concluded an air pollution analysis demonstrating the upwind-downwind linkages between states. That study demonstrated that my home state of Illinois receives air pollution from more than 10 states as a result of wind patterns. Illinois shares water sources, including Lake Michigan and the Mississippi River, with 11 states. Much like with air, a patchwork of regulations will do nothing to ensure my constituents have access to clean water.

H.R. 2018 removes any federal baseline for what constitutes a clean water program and leaves the process entirely under state control. It is a de facto repeal of the Clean Water Act.

We know what will happen without reasonable oversight of our nation's water sources because we have seen it before. Prior to the 1972 Clean Water Act, American rivers and streams were treated like sewers and chemical pollution was so rampant that rivers caught fire. This bill would hand our waterways and drinking water sources back to corporate polluters.

Promoters of corporate pollution regularly suggest that turning a blind eye to the destruction of our waterways, air supply, and food sources is in the economic best-interest of the country. Even if this were true, it would ignore the health and welfare of the American people. But it is not true. The Office of Management and Budget has demonstrated that the cost of implementing EPA rules over the last decade have cost as much as $29 billion, but the economic benefits of those regulations have reaped between $82 billion and $552 billion. The facts don't lie: EPA regulations save lives and stimulate economic growth.

I urge my colleagues to join me in opposition to H.R. 2018, a bill that offers no tangible benefits and a litany of irreversible costs.

Mr. GIBBS. I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 2018

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Clean Water Cooperative Federalism Act of 2011''.

SEC. 2. STATE WATER QUALITY STANDARDS.

(a) STATE WATER QUALITY STANDARDS.—Section 303(c)(4) of the Federal Water Pollution Control Act (33 U.S.C. 1313(c)(4)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by striking ''(4)'' and inserting ''(4)(A)'';

(3) by striking ''The Administrator shall promulgate'' and inserting the following:

''(B) The Administrator shall promulgate''; and

(4) by adding at the end the following:

''(C) Notwithstanding subparagraph (A)(ii), the Administrator may not promulgate a revised or new standard for a pollutant in any case in which the State has submitted to the Administrator and the Administrator has approved a water quality standard for that pollutant, unless the State concurs with the Administrator's determination that the revised or new standard is necessary to meet the requirements of this Act.''.

(b) FEDERAL LICENSES AND PERMITS.—Section 401(a) of such Act (33 U.S.C. 1341(a)) is amended by adding at the end the following:

''(7) With respect to any discharge, if a State or interstate agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate determines under paragraph (1) that the discharge will comply with the applicable provisions of sections 301, 302, 303, 306, and 307, the Administrator may not take any action to supersede the determination.''.

(c) STATE NPDES PERMIT PROGRAMS.—Section 402(c) of such Act (42 U.S.C. 1342(c)) is amended by adding at the end the following:

''(5) LIMITATION ON AUTHORITY OF ADMINISTRATOR TO WITHDRAW APPROVAL OF STATE PROGRAMS.—The Administrator may not withdraw approval of a State program under paragraph (3) or (4), or limit Federal financial assistance for the State program, on the basis that the Administrator disagrees with the State regarding—

''(A) the implementation of any water quality standard that has been adopted by the State and approved by the Administrator under section 303(c); or

''(B) the implementation of any Federal guidance that directs the interpretation of the State's water quality standards.''.

(d) LIMITATION ON AUTHORITY OF ADMINISTRATOR TO OBJECT TO INDIVIDUAL PERMITS.—Section 402(d) of such Act (33 U.S.C. 1342(d)) is amended by adding at the end the following:

''(5) The Administrator may not object under paragraph (2) to the issuance of a permit by a State on the basis of—

''(A) the Administrator's interpretation of a water quality standard that has been adopted by the State and approved by the Administrator under section 303(c); or

''(B) the implementation of any Federal guidance that directs the interpretation of the State's water quality standards.''.

SEC. 3. PERMITS FOR DREDGED OR FILL MATERIAL.

(a) AUTHORITY OF EPA ADMINISTRATOR.—Section 404(c) of the Federal Water Pollution Control Act (33 U.S.C. 1344(c)) is amended—

(1) by striking ''(c)'' and inserting ''(c)(1)''; and

(2) by adding at the end the following:

''(2) Paragraph (1) shall not apply to any permit if the State in which the discharge originates or will originate does not concur with the Administrator's determination that the discharge will result in an unacceptable adverse effect as described in paragraph (1).''.

(b) STATE PERMIT PROGRAMS.—The first sentence of section 404(g)(1) of such Act (33 U.S.C. 1344(g)(1)) is amended by striking ''The Governor of any State desiring to administer its own individual and general permit program for the discharge'' and inserting ''The Governor of any State desiring to administer its own individual and general permit program for some or all of the discharges''.

SEC. 4. DEADLINES FOR AGENCY COMMENTS.

Section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) is amended—

(1) in subsection (m) by striking ''ninetieth day'' and inserting ''30th day (or the 60th day if additional time is requested)''; and

(2) in subsection (q)—

(A) by striking ''(q)'' and inserting ''(q)(1)''; and

(B) by adding at the end the following:

''(2) The Administrator and the head of a department or agency referred to in paragraph (1) shall each submit any comments with respect to an application for a permit under subsection (a) or (e) not later than the 30th day (or the 60th day if additional time is requested) after the date of receipt of an application for a permit under that subsection.''.

SEC. 5. APPLICABILITY OF AMENDMENTS.

The amendments made by this Act shall apply to actions taken on or after the date of enactment of this Act, including actions taken with respect to permit applications that are pending or revised or new standards that are being promulgated as of such date of enactment.

The CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 112–144. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

□ 1520

AMENDMENT NO. 1 OFFERED BY MS. JACKSON LEE OF TEXAS

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–144.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, strike line 3 and all that follows through line 8 on page 7.

The CHAIR. Pursuant to House Resolution 347, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. Let me thank the chairman very much.

I definitely support cooperation between the Federal Government and the State government. That is absolutely the best partnership and one that I encourage.

Having been a member of the local city council of my own city of Houston, I also know that unfunded mandates are very much difficult to overcome. But I argue vigorously against the underlying legislation because it does equate to undermining the health of Americans. We need clean water, not dirty water.

So this amendment strikes the entire legislation that causes us to ignore a partnership that has been established between the EPA, the Environmental Protection Agency, and the National Pollutant Discharge Elimination System, which is a State system. And to my count, some 47 States have initially gotten into the system and have worked to ensure that they have clean water.

Why do I suggest that this is a very challenging approach to take that the underlying legislation has? Because it prevents the EPA from taking actions to revise outdated State water quality standards. It makes a State the final arbiter of whether an NPDES permit, a license for better water quality, is in fact to be implemented so that one State may do something that impacts negatively on another State.

These are the people we're concerned about: a working nurse and a healthy baby, or we are concerned about a gentleman by the name of Mr. Caldario, who is a resident of Crestwood, who indicated some years ago that he was worried about the water he drank for years without knowing what it was contaminated with—''Cancer Study Triggers Fears in Crestwood,'' which I will submit for the RECORD. His final sentence states, ''I can't help but wonder if what happened to me had something to do with the water.''

My amendment is straightforward. It strikes the language of this bill. It says let's go back to the drawing table. I want to be able to help Members, but if you have 47 States that have been engaged in this process, let's find a way that we can come together and have clean water and not dirty water.

This is a straightforward amendment that says that this is overreaching. The EPA would be prohibited from resolving conflicting State decisions on protecting water quality. Join me in supporting the Jackson Lee amendment.

I reserve the balance of my time.

Mr. GIBBS. Mr. Chairman, I wish to claim time in opposition.

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

Mr. GIBBS. Thank you, Mr. Chairman.

The intent of H.R. 2018 is to restore the balance between the States and the Federal Government in carrying out the Clean Water Act.

This amendment simply strikes the entire bill, as she stated, and ensures that the EPA can continue to unilaterally force its own one-size-fits-all Federal policies onto the States' water quality programs, which, by the way, they previously already approved.

Under this amendment EPA will continue to pass unfunded mandates on to the States. It ensures that EPA issues interim guidance that frustrates States and permit applicants, and ensures that the EPA will continue their legally dubious activities of revoking already legally issued permits, as I stated earlier.

I urge all Members to oppose this amendment.

I yield back the balance of my time.

Ms. JACKSON LEE of Texas. I thank the good intentions of the gentleman,

but I am concerned by the interpretation.

Let me just share with you very briefly my own State. In my own State, I'm aware of how tributaries can impact the body of water they flow into. Currently there is a dead zone, an area of low oxygen where marine life cannot survive, in the Gulf of Mexico. This dead zone, estimated to reach 9,421 square miles, is due to increased levels of nitrogen and phosphorus that washed into the gulf from the Mississippi River and other tributaries. This legislation prevents the EPA from regulating criteria for pollutants that cause dead zones.

We are the protectors of America's assets, its waterways, its drinking water, the ability to have the opportunity for clean water for our fish and fishing. I ask you, let's go back to the drawing board. If we have States that are already participating, let's demand, in an administrative process, for EPA to restrain itself, but let's not take away the underlying power that is going to allow us to have clean drinking water and for someone who lives in Crestwood to be able to be possibly cancer free.

I ask my colleagues to support this amendment.

Mr. Chair, I rise today in support of my amendment to H.R. 2018 "The Clean Water Cooperative Federalism Act of 2011." My amendment restores the authority of the Environmental Protection Agency (EPA) to work with state governments to establish standards ensuring all Americans have access to clean and safe water.

My amendment strikes the entire bill. The Clean Water Act (CWA) was designed to encourage collaboration between state agencies and the Environmental Protection Agency (EPA) in order to develop acceptable standards for maintaining the safety of our nation's bodies of water. The EPA was created in 1970 to ensure that our air, land, and water receive adequate protection from pollution and we must allow them to do so for the benefit of all Americans.

The Clean Water Cooperative Federalism Act is absolutely not the way to protect our nation's water bodies. The EPA has the expertise and resources for research, standard-setting, monitoring and enforcement with regard to five environmental hazards: air and water pollution, solid waste disposal, radiation, and pesticides. EPA represents a coordinated approach to each of these problems.

Seeking to limit the extent to which the EPA can oversee the safety of our water supply threatens the health of American citizens across the country. The EPA has not only the right, but the responsibility to update state water pollution regulations and permit procedures if they discover new threats to health or the environment.

The EPA must remain involved in regulating water pollution to ensure a cohesive policy that protects all states from pollution. Should the authority to regulate water pollution levels be given solely to the states, there would be no way to regulate waterways that pass through multiple states.

As a Representative from Texas, a Gulf Coast state, I am aware of how tributaries can impact the body of water they flow into. Currently, there is a dead zone, an area of low oxygen where marine life cannot survive, in the Gulf of Mexico. This dead zone, estimated to reach 9,421 square miles, is due to increased levels of nitrogen and phosphorus that washed into the gulf from the Mississippi River and other tributaries. This legislation prevents the EPA from regulating criteria for pollutants that cause dead zones.

My Republican colleagues feel we must pass this bill urgently. They will tell their constituents, and all of the American people that the Clean Water Cooperative Federalism Act is necessary to issue permits and avoid backlog in mining facilities, factories, agriculture, and other businesses. What my friends on the other side of the aisle will not tell you is that this legislation is helping business at the risk of our nation's health.

Those who support this bill will not mention that EPA regulation prevents toxic chemicals and biological agents from entering our surface water bodies and groundwater. Apparently, those championing this legislation do not feel the American people deserve to know the serious health risks that can result from drinking or bathing in polluted water. Breathing the vapors of a polluted water source, consuming meat or vegetables affected by polluted water, and consuming fish that have been exposed to polluted water are all potentially harmful.

Mr. Chair, I offer this amendment to strike the entire Clean Water Cooperative Federalism Act to protect not only my constituents in the 18th district of Texas, but Americans across the nation from the diseases that result from water pollution. Diseases such as typhoid, hepatitis, encephalitis, and others caused by pathogens in water.

Surely the EPA, the states, and the industries involved can work together to prevent pollution levels in surface and groundwater from causing cancer, or serious damage to the liver, kidneys, nervous system, reproductive system, or endocrine system. Surely, we are not willing to sacrifice the health of this nation to pass a bill to benefit industry.

A study conducted by Cornell University concluded that water pollution accounts for 80% of infectious diseases, and 5 million deaths per year. I urge my colleagues on either side of the aisle to consider the enormous gamble this Congress is taking by reducing regulations to keep our water safe.

Supporting my amendment will strike the dangerous Clean Water Cooperative Federalism Act, and provide an opportunity for new legislation that fosters compromise between the EPA, the states, and stakeholders, without compromising water quality and endangering the health of American citizens.

[From the U.S. Environmental Protection Agency]

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

SPECIFIC STATE PROGRAM STATUS

State	Approved State NPDES Permit Program	Approved to Regulate Federal Facilities	Approved State Pretreatment Program	Approved General Permits Program	Approved Biosolids (Sludge) Program
Alabama	10/19/79	10/19/79	10/19/79	06/26/91	
Alaska*	10/31/08	10/31/08	10/31/08	10/31/08	
American Samoa.					
Arizona	12/05/02	12/05/02	12/05/02	12/05/02	04/01/04
Arkansas	11/01/86	11/01/86	11/01/86	11/01/86	
California	05/14/73	05/05/78	09/22/89	09/22/89	
Colorado	03/27/75			03/04/82	

SPECIFIC STATE PROGRAM STATUS—Continued

State	Approved State NPDES Permit Program	Approved to Regulate Federal Facilities	Approved State Pretreatment Program	Approved General Permits Program	Approved Biosolids (Sludge) Program
Connecticut	09/26/73	01/09/89	06/03/81	03/10/92	
Delaware	04/01/74			10/23/92	
District of Columbia.					
Florida	05/01/95	05/01/00	05/01/95	05/01/95	
Georgia	06/28/74	12/08/80	03/12/81	01/28/91	
Guam.					
Hawaii	11/28/74	06/01/79	08/12/83	09/30/91	
Idaho.					
Illinois	10/23/77	09/20/79		01/04/84	
Indiana	01/01/75	12/09/78		04/02/91	
Iowa	08/10/78	08/10/78	06/03/81	08/12/92	
Johnston Atoll.					
Kansas	06/28/74	08/28/85		11/24/93	
Kentucky	09/30/83	09/30/83	09/30/83	09/30/83	
Louisiana	08/27/96	08/27/96	08/27/96	08/27/96	
Maine	01/12/01	01/12/01	01/12/01	01/12/01	
Maryland	09/05/74	11/10/87	09/30/85	09/30/91	
Massachusetts.					
Michigan	10/17/73	12/09/78	06/07/83	11/29/93	09/28/06
Midway Island.					
Minnesota	06/30/74	12/09/78	07/16/79	12/15/87	
Mississippi	05/01/74	01/28/83	05/13/82	09/27/91	
Missouri	10/30/74	06/26/79	06/03/81	12/12/85	
Montana	06/10/74	06/23/81		04/29/83	
Nebraska	06/12/74	11/02/79	09/07/84	07/20/89	
Nevada	09/19/75	08/31/78		07/27/92	
New Hampshire.					
New Jersey	04/13/82	04/13/82	04/13/82	04/13/82	
New Mexico.					
New York	10/28/75	06/13/80		10/15/92	
North Carolina.	10/19/75	09/28/84	06/14/82	09/06/91	
North Dakota	06/13/75	01/22/90	09/16/05	01/22/90	
Northern Mariana Islands.					
Ohio	03/11/74	01/28/83	07/27/83	08/17/92	03/16/05
Oklahoma**	11/19/96	11/19/96	11/19/96	09/11/97	11/19/96
Oregon	09/26/73	03/02/79	03/12/81	02/23/82	
Pennsylvania	06/30/78	06/30/78		08/02/91	
Puerto Rico.					
Rhode Island	09/17/84	09/17/84	09/17/84	09/17/84	
South Carolina.	06/10/75	09/26/80	04/09/82	09/03/92	
South Dakota	12/30/93	12/30/93	12/30/93	12/30/93	10/22/01
Tennessee	12/28/77	09/30/86	08/10/83	04/18/91	
Utah	07/07/87	07/07/87	07/07/87	07/07/87	06/14/96
Vermont	03/11/74		03/16/82	08/26/93	
Virgin Islands	06/30/76	12/26/07		12/26/07	
Virginia	03/31/75	02/09/82	04/14/89	04/20/91	
Wake Island.					
Washington	11/14/73		09/30/86	09/26/89	
West Virginia	05/10/82	05/10/82	05/10/82	05/10/82	
Wisconsin	02/04/74	11/26/79	12/24/80	12/19/86	07/28/00
Wyoming	01/30/75	05/18/81		09/24/91	

STATE SPECIFIC COMMENTS

Alaska*	Phased program over three (3) years. At time of program approval, Alaska will administer the NPDES program for domestic discharges (individual and general permits), log storage and transfer facilities, seafood processing facilities (individual and general permits), and hatcheries. Alaska will assume authority for federal facilities, pretreatment, and stormwater on 10/31/09.
Oklahoma**	Partial Program. It has not been authorized to issue permits for activities associated with oil and gas exploration, drilling, operations, and pipelines, and for CAFOs and certain other discharges from agriculture. EPA is the permitting authority for those facilities since it is not in Oklahoma DEQ's jurisdiction. All parts of the program within jurisdiction of Oklahoma DEQ are authorized.

[From the Chicago Tribune, Mar. 5, 2010]

CANCER STUDY TRIGGERS FEARS IN CRESTWOOD

(By Jared S. Hopkins)

Like many residents of Crestwood, Frank Caldario has been worried about the water he drank for years without knowing it was contaminated.

Caldario's concerns, however, were heightened when he was diagnosed with kidney cancer last year. The 30-year-old office worker said surgeons removed a gumball-size tumor and about 40 percent of his right kidney.

''I can't help but wonder if what happened to me had something to do with the water,'' said Caldario, who doesn't smoke and has lived in Crestwood since 1993.

''It's just unreal for someone my age to get that,'' he said.

After the state released a report Friday that found toxic chemicals in Crestwood's drinking water could have contributed to elevated cancer rates in the village, residents said they were worried about their families' health, the impact on their property values and footing the bill to defend public officials who may be responsible.

The Illinois Department of Public Health studied cancer cases in the small community of about 11,000 between 1994 and 2006 and found higher-than-expected cases of kidney cancer in men, lung cancer in men and women, and gastrointestinal cancer in men. The state's investigation was prompted by a Tribune report last year that revealed the village's secret use of a tainted well.

''Of course there's a concern. If I said it wasn't in the back of my head, I'd be lying,'' said Dominic Covone, 37, a resident of about six years.''You don't want to think something bad could happen from just drinking water.''

In the report, researchers determined it was possible that chemicals in the drinking water might have contributed to the extra cancer cases but couldn't make a definite link.

For years, the tainted water went undetected as village officials told residents and regulators they used only treated Lake Michigan water. But they continued pumping from a polluted well for up to 20 percent of the water some months, records show.

Bill Shaughnessy, 60, a resident since 1987, said he hears concerns about a falloff in property values and the ''unknown,'' including what may be undiscovered in water lines.

Some residents said they were annoyed about the village's use of taxpayer funds—more than $1 million last year—to defend Crestwood officials in lawsuits. The tainted well was used under the purview of Chester Stranczek, mayor from 1969 to 2007.

''I feel deceived,'' said resident Tom Parhis.

Some longtime residents, however, said they still believe the water did not pose a health risk.

''That's all hogwash,'' said Shirley Beaver, a 44-year resident of Crestwood.

Others described the federal government's current investigation as ''Gestapo tactics'' against Stranczek and praised the property tax rebates he created. Village officials scrapped the rebates last year to help pay rising legal bills.

''You think he'd poison his own kids?'' said Jim Leonard, 73, who has lived in the village for 47 years with his wife, Millie.

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

The CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

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

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

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

AMENDMENT NO. 2 OFFERED BY MS. JACKSON LEE OF TEXAS

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112–144.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 2 of the bill (and redesignate subsequent sections accordingly).

The CHAIR. Pursuant to House Resolution 347, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. I thank the distinguished chairman, and again I thank my friends on the floor of the House, and I did not acknowledge my friend the ranking member.

I offer myself as a person who seeks to collaborate and fix problems. So my second amendment says let's work together, but there are times when the heart of the matter has to be addressed.

My amendment strikes the language that really is the heart of the matter. It strikes the language in the bill, ensuring that the vital role played by the EPA in determining whether or not certain pollutants enter our waterways can still exist. Providing States with nearly unlimited authority to determine which pollutants can enter our waterways does not take into account issues that arise when States disagree.

My amendment strikes the language that allows States, 50 States, to conflict against each other and one-upmanship—I'm going to do this; no, you're going to do this. This standardizes the issue of clean water. This stands up for people like those in Crestwood, Illinois, that wonder whether the water caused cancer, kidney cancer, in a 30-year-old.

I reserve the balance of my time.

Mr. GIBBS. I wish to claim the time in opposition.

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

Mr. GIBBS. Thank you, Mr. Chairman.

By striking section 2 of the bill, this amendment would effectively gut much of the bill.

Section 2 of the bill would limit EPA from unilaterally changing approved State water quality standards and permitting decisions, or from withdrawing approval of a State water quality permitting program or limiting Federal financial assistance for the State water quality permitting program on the basis that the EPA disagrees with the State regarding a State water quality standard that EPA has approved.

By striking section 2 of the bill, this amendment would continue to allow this administration's EPA to impose one-size-fits-all Federal policies on the States' water quality programs.

We are not in favor of the EPA continuing their regulatory onslaught on the States. I urge all Members to oppose this amendment.

I reserve the balance of my time.

Ms. JACKSON LEE of Texas. I yield 1 minute to the distinguished gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank the gentlewoman from Texas for yielding, and I also thank her for offering this amendment.

Mr. Chairman, I rise in support of the amendment.

The amendment would strike the provisions of the underlying bill that threaten existing Clean Water Act authority related to the discharge of pollutants under the act.

I oppose these provisions in the underlying bill, and I view this amendment as an effort to improve an otherwise very bad bill. On that basis I support the amendment.

Ms. JACKSON LEE of Texas. I thank the gentleman.

Is it my right to close, Mr. Chairman?

The CHAIR. The gentleman from Ohio has the right to close.

Ms. JACKSON LEE of Texas. I yield myself the balance of my time.

Let me refer my colleagues again to basic facts.

Forty-seven States have entered into agreements with the EPA because they have decided, in spite of the challenges that we all have on making sure that we do the right thing, that it is the right thing to do, that clean water is our priority. And I would offer as a viable picture a recollection of Americans who had to live through histories when water was not clean. We did have that era in our lifetime, or at least in the lifetimes of many. I would argue that that is not the life we would like to go back to.

This particular section is protecting us against pollutants that degrade surface water, rendering it unsafe for drinking, fishing, swimming, and other activities coming from a vast variety of chemicals, industry, and other sources. By regulating the sources that dispense these harmful pollutants, the EPA is able to ensure that all States have access to safe drinking water.

□ 1530

Do you want a jobs bill? Then you create the companies that are going to help us keep our waterways clean. Put people to work cleaning water. Put people to work complying with the right thing to do to ensure that we have clean drinking water, to ensure that babies and working moms and families can turn on that faucet, and to ensure that they can drink that clean water.

We want to work with industry. We want to be able to come halfway, but we don't want to return America to a time when you would dip down. You find in developing nations the enormous number of diseases that children have because they do not have clean water. Go to some of our developing nations. See what they're washing themselves in. See what they're drinking.

That's not America.

We have the opportunity to be the kind of nation that works with our businesses but also the kind that fights for our children and provides the opportunity for clean water. I ask my

colleagues to stand with us and to strike section 2 to allow us, one, to go for a compromise if we can, but also to stand for those who would welcome clean water. Let's end diseases that can be caused in this reckless manner.

I ask my colleagues to support the Jackson Lee amendment to support clean water in America.

Mr. Chair, I rise today in support of my amendment to H.R. 2018 the "Clean Water Cooperative Federalism Act of 2011," which ensures the Environmental Protection Agency (EPA) will continue to have authority to oversee issues related to the standards for and issuance of National Pollutant Discharge Elimination System (NPDES) permits.

My amendment will strike section 2 of the bill, ensuring the vital role played by the EPA in determining whether or not certain pollutants enter our waterways. Providing States with nearly unlimited authority to determine which pollutants can enter our waterways does not take into account issues that arise when States disagree.

The EPA is a unifying body, issuing regulations that ensure all States have standards that they must follow. Bodies of water cross State lines, and the water quality standards of one State are very likely to impact neighboring States.

The Clean Water Act (CWA) requires that all wastewater discharges to surface water receive a National Pollutant Discharge Elimination System (NPDES) permit. 47 States, including Texas, where I represent the 18th Congressional District, are currently authorized to issue NPDES permits. Texas has been authorized to issue these permits since September 14, 1998.

The pollutants that degrade surface water, rendering it unsafe for drinking, fishing, swimming, and other activities, come from a vast variety of chemicals, industry and other sources. By regulating the sources that dispense these harmful pollutants, the EPA is able to ensure that all States have access to safe water bodies.

It is important that the EPA be able to set a universal standard that all States follow. States may lack the resources and funding to adequately implement the NPDES program and properly regulate sources of water contaminants. Additionally, States may not have the resources or expertise needed to continually evaluate regulations in order to ensure that water remains safe.

Preventing the EPA from regulating the levels of pollutants in bodies of water may give jurisdiction over the issuance of permits to the States, but it certainly will not allow States to set their own standards for water quality. If the EPA is not able to set universal standards, downstream States will be subject to the water quality of upstream States. Contaminated groundwater will spread beyond State borders, impacting the lakes, reservoirs, and agriculture of nearby States, putting the people and the economy of its neighbors at risk.

In 1906, Missouri sued Illinois for discharging sewage into a tributary of the Mississippi River that ultimately rendered drinking water unsafe in Missouri. Restricting the EPA from holding all States to the same standards will inevitably lead to many suits of this nature.

I believe this bill sends us in the wrong direction when it comes to protecting our nation's bodies of water. This bill leaves a false impression that the EPA is an organization that arbitrarily picks and chooses what chemicals States can and cannot permit to enter our precious waters. Rather, the EPA has a broad responsibility for research, standard-setting, monitoring, and enforcement with regard to five environmental hazards: air pollution, water pollution, solid waste disposal, radiation, and pesticides. The EPA represents a coordinated approach to each of these problems, including an important standard for clean water.

Mr. Chair, I strongly urge opposition to this bill.

I yield back the balance of my time.

Mr. GIBBS. Mr. Chairman, I just want to reemphasize and restate that the States are operating under an already approved plan from the U.S. EPA which addresses these concerns, so I don't see how we go backwards, because they're operating within the framework that was set up. By the way, under the Clean Water Act, that plan is reviewed every 3 years.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE of Texas. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 3 OFFERED BY MRS. CAPITO

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112–144.

Mrs. CAPITO. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

SEC. 6. IMPACTS OF EPA REGULATORY ACTIVITY ON EMPLOYMENT AND ECONOMIC ACTIVITY.

(a) ANALYSIS OF IMPACTS OF ACTIONS ON EMPLOYMENT AND ECONOMIC ACTIVITY.—

(1) ANALYSIS.—Before taking a covered action, the Administrator shall analyze the impact, disaggregated by State, of the covered action on employment levels and economic activity, including estimated job losses and decreased economic activity.

(2) ECONOMIC MODELS.—

(A) IN GENERAL.—In carrying out paragraph (1), the Administrator shall utilize the best available economic models.

(B) ANNUAL GAO REPORT.—Not later than December 31st of each year, the Comptroller General of the United States shall submit to Congress a report on the economic models used by the Administrator to carry out this subsection.

(3) AVAILABILITY OF INFORMATION.—With respect to any covered action, the Administrator shall—

(A) post the analysis under paragraph (1) as a link on the main page of the public Internet Web site of the Environmental Protection Agency; and

(B) request that the Governor of any State experiencing more than a de minimis negative impact post such analysis in the Capitol of such State.

(b) PUBLIC HEARINGS.—

(1) IN GENERAL.—If the Administrator concludes under subsection (a)(1) that a covered action will have more than a de minimis negative impact on employment levels or economic activity in a State, the Administrator shall hold a public hearing in each such State at least 30 days prior to the effective date of the covered action.

(2) TIME, LOCATION, AND SELECTION.—A public hearing required under paragraph (1) shall be held at a convenient time and location for impacted residents. In selecting a location for such a public hearing, the Administrator shall give priority to locations in the State that will experience the greatest number of job losses.

(c) NOTIFICATION.—If the Administrator concludes under subsection (a)(1) that a covered action will have more than a de minimis negative impact on employment levels or economic activity in any State, the Administrator shall give notice of such impact to the State's Congressional delegation, Governor, and Legislature at least 45 days before the effective date of the covered action.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) COVERED ACTION.—The term ''covered action'' means any of the following actions taken by the Administrator under the Federal Water Pollution Control Act (33 U.S.C. 1201 et seq.):

(A) Issuing a regulation, policy statement, guidance, response to a petition, or other requirement.

(B) Implementing a new or substantially altered program.

(3) MORE THAN A DE MINIMIS NEGATIVE IMPACT.—The term ''more than a de minimis negative impact'' means the following:

(A) With respect to employment levels, a loss of more than 100 jobs. Any offsetting job gains that result from the hypothetical creation of new jobs through new technologies or government employment may not be used in the job loss calculation.

(B) With respect to economic activity, a decrease in economic activity of more than $1,000,000 over any calendar year. Any offsetting economic activity that results from the hypothetical creation of new economic activity through new technologies or government employment may not be used in the economic activity calculation.

The CHAIR. Pursuant to House Resolution 347, the gentlewoman from West Virginia (Mrs. CAPITO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from West Virginia.

Mrs. CAPITO. I would like to thank the chairman of my subcommittee, the gentleman from Ohio, for his leadership on this issue.

My amendment is a simple reaction to conversations that I've had with the administrator and others at the EPA and also with the President of the United States.

In questioning the President, I asked:

Mr. President, when you're going forth on your rules and regulations at the EPA, do you consider jobs and economic impact?

He said we should and I say we should, and that is the purpose of my amendment. This requires the EPA to analyze the impact on jobs and economic activity prior to issuing a regulation, policy statement, guidance, or

prior to implementing any new or substantially altered program under the Clean Water Act.

Earlier this year, the EPA retroactively vetoed a previously approved Clean Water Act permit in West Virginia at the Spruce Mine. This came as quite a surprise, and it was very unprecedented because I don't believe the EPA—if it has, it has been maybe once or twice in its history—has ever retroactively vetoed a permit. It had a very chilling effect not only on jobs but on the economic activity in our State. This action has caused a slow bleed of jobs throughout Appalachia. Reaching back to revoke a permit is particularly concerning because it causes great uncertainty for job creators in our State. This is at a time when we have as a Nation 9.2 percent unemployment.

We need to get people to work.

Why would a company invest in a new project that has been permitted when it would think that there would be a reach-back by the EPA under the Clean Water Act which could revoke this permit? To me, this just chills job creation in our State.

The EPA's ideological war on our energy producers is manifesting itself in other ways in my district and across the country. In the eastern part of West Virginia, the EPA—listen to this—is using aerial surveillance of family farms with the goal of ensuring compliance with the Clean Water Act. According to an article in a local newspaper, the EPA is going so far as to regulate the types of sheds that family farmers can have for their cattle operations. Yet, when asked about the economic impact of this kind of regulatory overreach, the EPA's representative made it clear that jobs are irrelevant.

As the Nation faces 9.2 percent unemployment and as hundreds of thousands of jobs hang in limbo, the administration has refused to reconsider this agenda. The negative impact of the regulatory actions upon jobs is obvious. However, the EPA has been unable to give me a straight answer on whether it does or does not consider the negative impact on jobs or economic impact.

So let's put it clearly in the law:

You must consider this to strike that balance between environment and economy.

All this amendment is asking for, quite simply, is transparency. It doesn't mandate what decision has to be made when considering what jobs or economic impact is discovered. It does say that, when jobs and economic impact are negative, the EPA has to go to the local governance authority, whether it's the Governor or the smaller community, and explain this action. So it's transparency. I think it will help further clarify decisions, but it will also help our energy producers figure out how to weave the balance between the economy and the environment.

In closing, I've heard a lot of talk about our collective goal of clean air and clean water. We all share that—and no one more than everyone on the floor who is sitting here today and those of us across the country—but we cannot afford this continued unaccountable, nontransparent assault on our American jobs, so I urge my colleagues to support my amendment.

I reserve the balance of my time.

Mr. BISHOP of New York. I claim time in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of New York. We have heard a great deal of how reversals on the part of the EPA have caused uncertainty in the business community—uncertainty that leads to job loss, uncertainty that leads to a lack of interest in investing. Here are the numbers:

In 40 years, the EPA has reversed 13 permits—13—out of over 2 million issued. That is a veto rate of .00065 percent.

I fail to see how a reversal rate of significantly less than 1 percent can create the kind of uncertainty that we hear about from our colleagues. In fact, that kind of reversal rate encourages a reliance on the legitimacy and the validity of a permit granted, not the questioning of it.

I would also point out that, of these 13 reversals, seven took place under the administration of President Reagan; four took place under the Presidency of the first George Bush; one under George W. Bush; and one under President Obama. I think we are hard-pressed to develop a fact-based argument that there is an assault or that there is an overreach on the part of the EPA.

Now, with respect to the subject of the amendment, itself, the EPA has testified before the Water Resources and Environment Subcommittee that it already considers the implications of its actions on jobs and on the economy. In fact, many of the requirements that bring the EPA to do that were enacted by the Republican majority when they last controlled the House. I would suggest that the enactment of this amendment will only duplicate the analysis that the EPA is already undertaking.

As a result, I fear that this amendment will only increase the opportunity for litigation relating to actions on the part of the EPA, causing a new cause of action in the Clean Water Act for third-party lawsuits. If anything, I fear that the effect of this amendment will be to tie up efforts by the EPA to protect public health and the environment in a bureaucratic morass.

On that basis, I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mrs. CAPITO. I would just like to quickly respond in terms of the revocation of the one permit. Let's talk about the hundreds of permits that are sitting at the EPA, and try to figure out how to meet the balance here.

□ 1540

Let's look at the total picture—that's all I'm saying—of jobs and the environment.

Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. I urge Members to support Mrs. CAPITO's amendment. Her amendment would bring transparency to the development of regulations and require the EPA to provide a more robust analysis of the economic impacts of its regulatory actions.

This will not halt the issuance of regulations, only provide better information to those who are responsible for writing the regulations, in this case the EPA. I think we can all agree the EPA could have better information to utilize to make better regulatory decisions.

I am concerned, as I believe the Administrator of the U.S. EPA has testified, that their main concern, when they look at a regulatory issue, is public health and safety of the environment, and they don't do any cost-benefit analysis and diminishing returns and all that.

I urge support of the amendment.

Mr. BISHOP of New York. Mr. Chairman, may I inquire as to how much time I have remaining.

The CHAIR. The gentleman from New York has 2½ minutes.

Mr. BISHOP of New York. Mr. Chairman, I yield 2 minutes to the ranking member, the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. I thank the gentleman from New York for yielding.

I rise in support of the gentlelady from West Virginia's amendment; let me state that at the very beginning. My only concerns here were attaching an economic analysis amendment to the pending legislation which is directed at the Clean Water Act interpretations.

The pending amendment by the gentlelady from West Virginia—which as I say, I support—would appear to me to more broaden the direction in which this bill goes, which I think detracts from the original intent of the legislation to zero in on clean water issues.

The gentlelady's amendment should be properly—I believe it is—the subject of another stand-alone bill that's been introduced in this body to judge the economic analysis. That legislation I support as well. I might add, in addition, that I brought this issue up with Cass Sunstein, who is the head of the White House Office of Regulatory Review, whose job it is to determine and to examine the economic analysis of regulations that come out of the Federal agencies. That is the White House Office of Regulatory Review's jurisdiction, not EPA's jurisdiction, as the gentlelady has paraphrased the EPA administrator; and as we've all heard her say, job repercussions is not necessarily part of her job description.

The unfortunate fact is that the Office of Regulatory Review under the White House jurisdiction has very limited staff and does not have the staff availability to examine the economic analysis of every regulation that comes out of every agency of our Federal Government, which they are tasked to do,

but certainly don't have the resources to fully do their job.

So the bottom line, I do support the gentlelady's amendment. I do worry that it overly broadens this particular piece of legislation and should be properly, as it is, the subject of a separate stand-alone legislation on its own.

The CHAIR. The gentlewoman from West Virginia has 15 seconds remaining.

Mrs. CAPITO. I want to thank my colleague from West Virginia for his support because he and I are seeing firsthand—we want to see transparency; we want to see the information move forward on the economic impact. We are at a place where we need jobs, we want jobs, we just want to see the facts.

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

Mr. BISHOP of New York. Mr. Chairman, for the reasons I have cited, I urge my colleagues to vote ''no'' on this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from West Virginia (Mrs. CAPITO).

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

Mr. BISHOP of New York. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 4 OFFERED BY MS. HANABUSA

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112–144.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

SEC. 6. REPORTING ON HARMFUL POLLUTANTS.

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator of the Environmental Protection Agency shall submit to Congress a report on any increase in waterborne pathogenic microorganisms (including protozoa, viruses, bacteria, and parasites), toxic chemicals, or toxic metals (such as lead and mercury) in waters regulated by a State under the provisions of this Act, including the amendments made by this Act.

The CHAIR. Pursuant to House Resolution 347, the gentlewoman from Hawaii (Ms. HANABUSA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Hawaii.

Ms. HANABUSA. Mr. Chair, this amendment simply seeks from the Administrator of the EPA to submit to Congress within 1 year, and then annually thereafter, a report on any increase in waterborne pathogenic microorganisms, which include protozoa, viruses, bacteria and parasites, toxic chemicals or toxic metals, such as lead and mercury, in waters regulated by the State under the provisions of H.R. 2018, including any further amendments to this bill.

Mr. Chair, there is nothing as important to all of us, especially for those of us in Hawaii, as water quality. We are the only island State, and of course our pristine waters are very critical to us for our major economic engine, which is tourism. And I don't believe it's any different for any other State, especially those of us who have bordering oceans, and even those who may have navigable streams within our borders. Water is critical.

What H.R. 2018 does is it simply states that the States now have the right to regulate water quality. By doing that, however, we need to know what they're doing and to ensure for all of us and our constituents that the States are doing a good job. All this amendment is seeking from the States is for the EPA to report to us so we can know if in fact they're doing what this bill gives them the authority to do, which is to make the decisions regarding water quality.

For that reason, Mr. Chair, I ask for the support of this amendment.

I reserve the balance of my time.

Mr. GIBBS. Mr. Chairman, I wish to claim time in opposition.

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

Mr. GIBBS. The Hanabusa amendment authorizes the EPA to study the effectiveness of cooperative federalism once H.R. 2018 is enacted.

While the amendment seems to carry a bias in that the EPA can only report an increase of pathogens or toxins, and not reductions, after enactment of H.R. 2018, the EPA will have very little to report upon.

H.R. 2018 will lead to better water quality decisions made at the local level, and this will benefit the environment for all of us. If H.R. 2018 would lead to water quality degradation, none of us in this Chamber would support it if that were the case.

Noting the bias in the amendment, if the sponsor would like to ask for a unanimous consent request to modify her amendment to modify line 5 after ''increase'' by adding the phrase ''or reductions,'' we then would be able to accept the amendment.

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

Ms. HANABUSA. Mr. Chair, I would accept the modification. However, I would also like to yield 1 minute to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank the gentlelady for yielding, and I thank her for offering this amendment.

I just want to simply say, as I've made clear, I do not support the underlying legislation, but this is a very prudent amendment that allows us to assess as we go forward whether or not this proposed law is in the best interests of our Nation's clean water and in the interests of our Nation's health. So I commend the gentlelady for offering the amendment, and I am very happy to hear that this may be accepted.

Mr. GIBBS. I continue to reserve the balance of my time.

Ms. HANABUSA. Mr. Chair, I understand with our agreement to their modification, that they will accept the amendment.

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

Mr. GIBBS. With the modification, I think this is a good amendment. I want to commend my colleague for offering it because I think we will get an accurate report from the EPA when they do their study on whether we're making progress because of H.R. 2018 or if we're going backwards. So I think it's important to have this amendment modified to provide those words ''or reductions.''

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

□ 1550

MODIFICATION TO AMENDMENT NO. 4

Ms. HANABUSA. Mr. Chair, I ask unanimous consent to modify the amendment.

The CHAIR. The Clerk will report the modification.

The Clerk read as follows:

On line 5, insert ''or reduction'' after ''increase''.

The CHAIR. Is there objection to the modification?

Without objection, the modification is agreed to.

There was no objection.

The CHAIR. The question is on the amendment, as modified, offered by the gentlewoman from Hawaii (Ms. HANABUSA).

The amendment, as modified, was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. POLIS

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112–144.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

SEC. 6. PERMIT HOLDERS IN SIGNIFICANT NONCOMPLIANCE.

None of the provisions of this Act, including the amendments made by this Act, shall apply to any permit holder that is listed by the Administrator of the Environmental Protection Agency as being in significant noncompliance with any requirement of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

The CHAIR. Pursuant to House Resolution 347, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chair, our country's worst polluters don't deserve a get out of jail free card. I think that's an unintended consequence of the current language of the bill, absent this amendment. And I encourage my colleagues

on both sides of the aisle to adopt this amendment.

Regardless of one's position on the underlying bill, one thing I hope we can all agree on is that the most egregious polluters—these are polluters that Republican and Democratic State administrations, Republican and Democratic experts agree are the most egregious polluters, those who simply disregard the law knowingly, those who repeatedly ignore State regulation, are bad actors and they should not be among those who benefit from this bill. The States deserve to have the EPA back them up and help them keep tabs on these polluters who continually violate State rules.

Unfortunately, the vast majority of these polluters have escaped not only punishment but simply increased scrutiny. Polluters that continually violate the law are classified as ''significant noncompliance.'' That's the term that's used. This classification simply puts these polluters under a greater microscope by the EPA. It doesn't change authorities. It doesn't engender some new regulatory scheme. It simply ensures that the EPA is keeping a close eye on them and ensuring that State programs are being followed.

Again, I believe it's a piece of this that's outside of this larger State versus Federal debate. It's one that is consistent with supporting States' regulation of the most egregious infractors.

States simply don't have the resources to keep our waters safe on their own. According to a 2009 New York Times investigation, State officials attribute rising pollution rates to increased workloads and dwindling resources. In 46 States, local regulators already have primary responsibility for crucial aspects of the Clean Water Act. The job needed to protect our health is simply too big for State regulators alone.

One notable example of significant noncompliance is from the Bush administration between 2001 and 2006. The Bush administration found that Massey Energy, the same company responsible for the Big Branch Mine Disaster, had accrued over 2,000 significant violations, and the State did not have the resources to hold them accountable. Under significant noncompliance, the Bush administration was able to more closely watch Massey and ensure they followed State rules.

Again, in its current form, this bill offers these most extreme polluters a get out of jail free card, unraveling the EPA's long history of backing up State authority and successfully and reasonably keeping these major polluters in check. My amendment very simply states that the EPA can keep a closer eye—that's all, a closer eye—on the most extreme violators of the law, polluters who are habitually out of compliance or significant noncompliance.

Without my amendment, this bill would mean that our Nation's worst offenders would be free from EPA scrutiny, with sole authority being new, less organized, and naive State programs ripe for loopholes and some of which simply don't have the scale to adequately regulate what's at stake.

Mr. Chair, if a student is disruptive in class, it's only common sense they go to the principal's office. That doesn't mean the teacher doesn't have autonomy in the class or the troubled student doesn't respect the teacher. They need to know there are greater consequences for bad behavior.

I reserve the balance of my time.

Mr. GIBBS. Mr. Chairman, I wish to claim time in opposition.

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

Mr. GIBBS. The gentleman from Colorado seems to suggest that States would continue to allow polluters to pollute waters of their States under H.R. 2018 unless this amendment is adopted. Nothing could be further from the truth. If H.R. 2018 degraded water quality, none of us would support this legislation.

I also question the implementation of the amendment. If you had a permit holder who is in significant noncompliance, does that negate water quality provisions for the water body the permit holder may be polluting? Of course not. Nothing in H.R. 2018 allows a permit holder to violate the terms of a permit.

I urge all Members to oppose the Polis amendment.

I reserve the balance of my time.

Mr. POLIS. I yield 1 minute to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank the gentleman from Colorado for yielding, and I thank the gentleman for offering this, I think, very well thought-out and well-conceived amendment.

I support the amendment offered by the gentleman because it suggests that the most appropriate place for retaining Federal oversight is against polluters who have a track record on the most serious violations of the Clean Water Act, those found to be in significant noncompliance; and, thus, the retention of a Federal oversight role I think is very wise.

And let me just amplify that. In September of 2009, The New York Times ran a front-page story highlighting that, from 2004 to 2008, 506,000 violations of the Clean Water Act were reported for both major and minor facilities; and during that time, the States only took 11,000 enforcement actions, or what is basically a 2 percent enforcement rate. We need to have the Federal Government retain its oversight role. This amendment would do that.

I urge my colleagues to support it.

Mr. GIBBS. I just want to reemphasize that if there is a permit holder in violation, the States have an obligation and a responsibility to step in and take action and enforcement. If they probably didn't, I'm sure that there's some organization that would file a lawsuit against that EPA.

So I don't think this amendment does anything to help the bill. I think the bill takes care of it, and the people who would be in violation would be prosecuted under the law.

I yield back the balance of my time.

Mr. POLIS. Mr. Chair, I don't agree with what the gentleman from Ohio said. I don't believe that this should be yet another unfunded mandate on the States.

While the number of unregulated facilities has more than doubled in the last decade, many State enforcement budgets have been flat when adjusted for inflation. In New York, for example, the number of regulated polluters has almost doubled in the last decade, but the number of inspections have remained the same.

Again, my amendment gives the State the ability to send habitual bad actors to the EPA, not for the worst punishment, not for some change in authority, not for some overreach, but simply for closer scrutiny. My amendment does not affect punishment. It simply allows the EPA to keep a close eye on the frequent violator in support of the State, as is the practice with significant noncompliance.

I encourage my colleagues on both sides of the aisle to support this amendment to ensure that the worst violators are properly inspected in support of State regulation.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

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

Mr. GIBBS. Mr. Chairman, I ask for a recorded vote.

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

AMENDMENT NO. 6 OFFERED BY MR. CONNOLLY OF VIRGINIA

The CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112–144.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

SEC. 6. PROTECTION OF WATERS RECEIVING FEDERAL ASSISTANCE.

None of the provisions of this Act, including the amendments made by this Act, shall apply to waters for which Federal funding is provided for restoration projects, studies, pilot projects, or development of total maximum daily loads, as determined by the Administrator of the Environmental Protection Agency.

The CHAIR. Pursuant to House Resolution 347, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY of Virginia. Mr. Chairman, I would be remiss if I failed

to note the irony of the legislation before us today. After 7 months of ranting and raving about the lack of regulatory certainty which causes economic stagnation, the Republican majority is now attempting to pass a bill which would replace a clear, predictable, national clean water standard with an utterly unpredictable patchwork of State standards. Chaos does not federalism make, nor is one State's ability to sully a downstream State's waters consistent with the commerce clause of the United States Constitution.

□ 1600

This legislation, with the Orwellian title the Clean Water Cooperative Federalism Act, would endanger watersheds all across America, including the precious Chesapeake Bay in our region here in the National Capital Region. As my colleagues are aware, the bay watershed encompasses six States and the District of Columbia.

Logically, the Environmental Protection Agency, the Department of Agriculture, the National Oceanographic and Atmospheric Association, the U.S. Geological Survey, and other agencies work in tandem with States throughout the watershed to reduce pollution entering the bay. Since watersheds do not correspond easily to State lines, this kind of interagency cooperation is essential and efficient to restore America's largest estuary.

H.R. 2018 would unravel that partnership, balkanizing water policy and undermining bay restoration. I have drafted a simple amendment, Mr. Chairman, to exempt watersheds like the Chesapeake Bay from this bill by limiting the bill's jurisdiction to watersheds which do not receive Federal aid for watershed restoration and related activities. This amendment would allow critical efforts, such as the restoration of the bay, Long Island Sound, the Great Lakes, Puget Sound, Gulf of Mexico, San Francisco Bay, and other great waters to continue. It would acknowledge the undeniable fact that water does not stop when it reaches the State line.

This amendment is important because these great waters are an integral part of our American heritage. The Chesapeake Bay was where John Smith arrived and founded Jamestown. The first colonial exploration of Virginia, also by John Smith, used the bay to explore the rivers of Virginia and Maryland. The Chesapeake is home to the French blockade of the British Navy, which enabled George Washington to have victory at Yorktown and a successful conclusion to the Revolutionary War.

For 200 years the Chesapeake Bay was one of America's most productive fisheries, fueling the growth of coastal communities such as Alexandria, Norfolk, and Baltimore, as well as an indigenous fleet of boats such as the skipjacks, deadrises, and bugeyes.

Unfortunately, development and overfishing wiped out many of the fisheries that were once so productive. When John Smith arrived in the bay, his crew had neglected to bring fishing line, but they were able to pull fish out of the bay by scooping them out of the water. Smith wrote that the oysters on the bay floor lay thick as stones and were so prolific that these filter feeders cleaned the entire volume of the bay daily. The shad runs up the James, Rappahannock, and Potomac Rivers were so immense that colonial observers noted it would have been possible to walk all the way from the James from Richmond to Manchester on the backs of fish without ever touching water.

These fish were so large and powerful that, when caught, they actually shook the first Manchester Bridge on its piers. Of course, the bay is part of a much larger watershed now that is as historic ecologically as the bay is itself.

To restore this great water body, many Federal agencies have been working in partnership with States, localities, and landowners. As written, H.R. 2018 would rupture that partnership, effectively giving any one State veto authority over the region's restoration efforts. My simple amendment would protect our ability to keep working together as a region to restore the bay.

This regional effort was first started at the Federal level by a Republican, my old friend, Republican U.S. Senator Charles ''Mac'' Mathias of Maryland. To the extent we are making progress today, it's a result of the partnership between Virginia, whose general assembly is investing over $100 million annually in private land conservation, a Republican-led initiative that was expanded under a Democratic Governor. Let us not turn our backs on this 30-year partnership.

I ask for your support for this commonsense amendment to continue the improvements to America's largest and most historic estuary, as well as our Nation's other great waters.

I reserve the balance of my time.

Mr. GIBBS. Mr. Chairman, I wish to claim time in opposition to the amendment.

The Acting CHAIR (Mr. MCCLINTOCK). The gentleman from Ohio is recognized for 5 minutes.

Mr. GIBBS. The Connolly amendment says that the underlying bill will not apply to any waters for which Federal funding is provided. This would have an effect of realigning Federal funding for projects and subject States with waters for which Federal funding is provided to greater EPA imposition of Federal one-size-fits-all policies.

As drafted, the scope of the Federal funding intended to be covered under this amendment is unclear, but could be interpreted to be almost limitless in coverage. As a result, this amendment would allow EPA to determine that the amendment applies to virtually all waters, with the consequent effect of nullifying the underlying bill.

Rather than nullifying this legislation, I would rather the gentleman from Virginia join those of us who think it would be more productive to ease the burden of unnecessary regulations and provide the States more authority in carrying out the Clean Water Act. I urge all Members to oppose the Connolly amendment.

I reserve the balance of my time.

Mr. CONNOLLY of Virginia. I yield myself the balance of my time.

The Acting CHAIR. The gentleman is recognized for 30 seconds.

Mr. CONNOLLY of Virginia. Let me say to my friend who is managing on the majority side, I spent 14 years in local government. We don't consider the Federal involvement in cleaning up the bay an undue burden. We actually consider it a partnership that has paid off big time, and we need more of it.

SUPPORT THE CONNOLLY AMENDMENT TO H.R. 2018

Protect these Great Waters: Great Lakes, Chesapeake Bay, Long Island Sound, South Florida/Everglades, Mississippi River Basin, San Francisco Bay, Gulf of Mexico, Lake Champlain, Puget Sound, Casco Bay (ME), New Hampshire Estuaries, Massachusetts Bays, Buzzards Bay, Narragansett Bay, Peconic Estuary, New York/NJ Harbor, Bernegat Bay, Delaware Inland Bays, Maryland Coastal Bays, Southeast Coast, Albermarle-Pamlico Sound, Indian River Lagoon, Gulf Coast, Charlotte Harbor, Sarasota Bay, Tampa Bay, Mobile Bay, Bataraia-Terrebonne Estuary, Galveston Bay, Coastal Bend Bay, West Coast, Lower Columbia River, Tillamook Bay, Morro Bay

DEAR COLLEAGUE, many of us have worked in collaboration with partners at the state and local level to protect great waters like the Chesapeake Bay, Great Lakes, Everglades, Lake Champlain, Long Island Sound, San Francisco Bay, Puget Sound, Mississippi Basin, and the Gulf of Mexico.

I have drafted a simple amendment to exempt these watersheds and others that receive federal restoration funding from H.R. 2018. This amendment would allow critical efforts such as restoration to continue in acknowledgement of the undeniable fact that water does not stop when it reaches a state line. A more complete list of watersheds that would be protected by this amendment can be found at the end of this letter.

This amendment is important because these great waters are an integral part of our American heritage. The Chesapeake Bay, for example, was where John Smith arrived and founded Jamestown. The first colonial exploration of Virginia, also by John Smith, used the Bay to explore the rivers of Virginia and Maryland. The Chesapeake is home to the French blockade of the British Navy, which enabled George Washington's victory at Yorktown and a successful conclusion to the Revolutionary War. For two hundred years the Chesapeake was one of America's most productive fisheries, fueling the growth of coastal communities such as Alexandria, Norfolk, and Baltimore, as well as an indigenous fleet of boats such as the Skipjacks, Deadrises, and Bugeyes.

Unfortunately, development and overfishing wiped out many of the fisheries that were once so productive. When John Smith arrived in the Bay, his crew had neglected to bring fishing line, but they were able to pull fish out of the Bay by scooping them out of the water with frying pans. Smith wrote that the oysters on the Bay floor ''lay thick as stones'' and were so prolific that these filter

feeders cleaned the whole volume of the Bay daily. The shad runs up the James, Rappahannock, and Potomac were so immense that colonial observers noted it would have been possible to walk across the James from Richmond to Manchester on the backs of fish without ever touching water. These fish were so large and powerful that, when caught, they shook the first Manchester Bridge on its moorings. Of course, the Bay is part of a much larger watershed that is as historic and ecologically valuable as the Bay itself.

To restore this great water body many federal agencies have been working in partnership with states, localities, and land owners. As written, H.R. 2018 would rupture that partnership, effectively giving any one state veto authority over the region's Bay restoration efforts. This important amendment would protect our ability to keep working together as a region to restore the Bay and other great waters across America.

Please support this amendment and contact *zack.fields@mail.house.gov* (3–3122) with any questions.

Sincerely,

GERALD E. CONNOLLY,
11th District, Virginia.

Watersheds and States that would be protected from H.R. 2018:

Great Lakes—NY, PA, OH, IL, IN, MN, WI, MI
Chesapeake Bay—NY, PA, MD, DE, VA, WV
Long Island Sound—CT, NY, RI
South Florida/Everglades—FL
Mississippi River Basin—MN, ND, SD, WY, CO, NM, TX, OK, KS, NE, AR, LA, MS, TN, AL, GA, KS, IN, IL, WI, MN, IA, OH, PA, NY, NC
San Francisco Bay—CA, OR, NV
Gulf of Mexico—TX, LA, FL, AL, MS
Lake Champlain—NY, VT
Puget Sound—WA
National Estuary Programs:
Casco Bay—ME
New Hampshire Estuaries—NH
Massachusetts Bays—MA
Buzzards Bay—MA, RI
Naragansett Bay—MA, RI
Peconic Estuary—NY
New York/NJ Harbor—NY, NJ
Bernegat Bay—NJ
Delaware Inland Bays—NJ, DE, PA, MD
Inland Bays—DE
Maryland Coastal Bays—MD
Albermarle-Pamlico Sound—NC, VA
Indian River Lagoon—FL
Charlotte Harbor—FL
Sarasota Bay—FL
Tampa Bay—FL
Mobile Bay—AL
Bataraia-Terrebonne Estuary—LA
Galveston Bay—TX
Coastal Bend Bay—TX
Lower Columbia River—WA, OR
Tillamook Bay—OR
Morro Bay—CA

Ms. SLAUGHTER. Mr. Chair, I rise today in strong support of the Connolly Amendment to H.R. 2018, Clean Water Cooperative Federalism Act and stand in strong opposition to the underlying bill. H.R. 2018 is yet another attempt to dismantle our nation's environmental protections and further jeopardize the public health and safety of our citizens.

Simply put, H.R. 2018 would return the U.S. to a structure of Clean Water laws that existed before enactment of the Clean Water Act of 1972 by undermining the Environmental Protection Agency's ability to assure state water quality standards. Before the Clean Water Act of 1972, 70 percent of our nation's waters were unsafe for fishing, swimming, or drinking.

This amendment, offered by my colleague from Virginia, would exempt states that receive federal restoration funding from H.R. 2018. It understands that ongoing cooperation among federal, state and local governments is necessary to ensure that basic water quality standards are upheld across the United States, regardless of which state you reside in.

This amendment also recognizes that our Federal Government has spent billions of dollars on regional collaborative efforts among states to repair and restore our nation's valuable waterways, and that this bill, H.R. 2018, threatens to nullify these efforts and write off valuable investment already undertaken by effectively giving any one state veto authority over a region's restoration efforts.

As a co-chair of the House Great Lakes Task Force, a bipartisan working group of members from eight states surrounding the Great Lakes, I understand how critical it is for our states to work together to save our nation's valuable waterways and that this cooperation must be guided by the underlying premise that water does not stop when it reaches the state line. The Great Lakes have received over $800 million in federal funding over the last two years alone to undertake such restoration efforts. We must not let these efforts and our valuable nation resources go to waste.

I strongly urge my colleagues to support this amendment and oppose H.R. 2018.

Mr. MORAN. Mr. Chair, I rise in support of the amendment by my colleague from Virginia and against this bad bill.

I am troubled that the bill we are considering today seems to move us backwards to a time when some advocated states should reign supreme and could opt out of federal laws.

We tried that system of government, it was called the Articles of Confederation, and it failed miserably.

Each state did its own thing, and there was no mechanism by which disagreements among the states could be resolved.

The issue today is whether states can opt out or even veto tougher, more stringent water quality standards to protect the public's health.

This bill returns us to a time when we had no uniform national minimum clean water standard and states had conflicting policies or no policies to protect the public.

That was a time when rivers were so polluted they caught fire.

The problem with this reasoning and with this bill is that responsible downstream states suffered the consequences of lax or weak upstream states' policies.

I am sure my colleagues, who seem so enamored with this proposition and this legislation, would raise objections if we were to apply a similar proposal to our immigration policy.

Employing this same logic, states would be granted full rights to disregard federal immigration policies and opt-out or set a different policy on which immigrants to accept or reject.

Water, like immigrants, crosses state lines; and immigrants like water should be governed by a single national standard.

The landmark Clean Water Act provides states full flexibility for meeting the federal standards, and it also allows states flexibility to set higher standards.

The amendment my colleague from Virginia is offering would at least allow Virginia and the other states that are part of the Chesapeake Bay watershed and some of this nation's other great bodies of water—waters that are the primary source of millions of Americans' economic livelihood and drinking water—to proceed with their plans to reduce harmful pollutants that threaten to degrade these great waters and allow current restoration measures to proceed.

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

Mr. GIBBS. I yield back the balance of my time.

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

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

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

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

It is now in order to consider amendment No. 7 printed in House Report 112–144.

AMENDMENT NO. 8 OFFERED BY MR. COHEN

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112–144.

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:

At the end of the bill, add the following:

SEC. 6. PIPELINES CROSSING STREAMBEDS.

None of the provisions of this Act, including the amendments made by this Act, shall be construed to limit the authority of the Administrator of the Environmental Protection Agency, as in effect on the day before the date of enactment of this Act, to regulate a pipeline that crosses a streambed.

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from Tennessee (Mr. COHEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. Mr. Chairman, while on this 4th of July most Americans were partaking in American pastimes like barbecuing and watching ball games, Montanans were immersed in a new American tradition, unfortunately, cleaning up an oil spill. In this case, Montanans were working, and are still working, feverishly to clean up a 40,000 gallon leak from ExxonMobil's Silvertip pipeline, a spill that's having a devastating impact on the residents, economy, and environment in the State of Montana.

As written, this legislation opens the door for more destructive events like the Yellowstone spill. This is why I proposed a simple, zero-cost amendment that will resolve this issue and continue protecting the American people, its environment, our economy, our water system from the harmful effects of pipeline spills.

The investigation into the Yellowstone spill has made it clear that the

spill occurred because the pipeline was not buried deep enough below the streambed. Having only been buried 5 feet below the river, years of the Yellowstone River's powerful flow removed much of the sediment covering the pipeline to the point where the pipeline was directly exposed. Once exposed, the pipeline was weakened by the elements rapidly moving down the Yellowstone River.

In order to bury a pipeline beneath a streambed, the company building the pipeline often has to rely upon and apply to the Corps of Engineers for a permit to dredge and fill. While the Corps has the authority to issue the permit, EPA has the ability to exercise oversight and ensure that the pipeline is sited safely and buried appropriately. This oversight authority is an effective, nonburdensome safety feature of the permitting process that serves as a backstop to Federal and State regulators and protects the health and safety of the American people.

All this amendment does is ensure that this bill does not prevent the Environmental Protection Agency from exercising this authority. It does not create a new permitting requirement or process. Historically, the siting of pipelines has not been an issue where the Federal Government has exercised much oversight. And this amendment does not call for enhanced oversight, create a new process, or require anything more from pipeline owners or builders. Rather, it simply preserves the existing right of the Environmental Protection Agency to exercise oversight in egregious cases.

Every piece of oil infrastructure, whether it's a pipeline or a drill rig, has backup safety features that are critical to ensure the safe operation of the infrastructure. Those safety backups, like the dead man switch on a drill rig, only function when the first set of safety features fail. The EPA's oversight of the Corps' dredge and fill permits for pipelines is just like the dead man's switch on an oil rig. It is only there as a backup protection in case the Corps might fail.

And if the oil industry uses layer upon layer of backup safety systems, why should the Federal Government not do the same? We are the ultimate protector of the water of our people. With the demand for oil in the United States increasing, more and more pipelines are being proposed. Many of these pipelines will cross economically critical, environmentally sensitive bodies of water like the Yellowstone River. Significant pipeline spills like the million gallon Enbridge pipeline spill last year in Michigan are serious events that have real implications for real people. Just ask the citizens of Kalamazoo, Michigan, who almost a year later are recovering from that spill.

□ 1610

In order to avoid similar tragedies in the future, the Federal Government needs to retain the existing protections built into the permitting process. This amendment does that by just maintaining EPA's existing authority to protect the American people and ensure their waters are not contaminated.

I urge passage of this important safety amendment, which will ensure that our Nation's pipelines are as consistent and as safe and reliable as Old Faithful, which resides in Yellowstone Park and whose river is being threatened, and I ask for support.

I yield back the balance of my time.

Mr. GIBBS. Mr. Chairman, I wish to claim time in opposition, although I am not opposed.

The Acting CHAIR. Without objection, the gentleman from Ohio is recognized for 5 minutes.

There was no objection.

Mr. GIBBS. EPA's role in regulating pipelines is minimal as compared to the role of other agencies. This bill would have little effect on regulating pipelines. Therefore, we can accept this amendment.

Mr. COHEN. If the gentleman will yield, I thank the gentleman for accepting the amendment.

Mr. GIBBS. I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. BLUMENAUER

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 112–144.

Mr. BLUMENAUER. Mr. Chairman, as the designee of the gentleman from Massachusetts (Mr. MARKEY), 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 the bill, add the following:

SEC. 6. PROTECTION OF WATERS PROVIDING CERTAIN BENEFITS.

None of the provisions of this Act, including the amendments made by this Act, shall apply to waters that, as determined by the Administrator of the Environmental Protection Agency—

(1) provide flood protection for communities;

(2) are a valuable fish and wildlife habitat that provides benefits to the economy; or

(3) are coastal recreational waters.

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. I yield myself 3 minutes.

This amendment ensures protection for waters and wetlands that provide flood protection or economically valuable habitats for our coastal recreation waters.

Healthy streams and wetlands provide vital public benefits for flood protection, commerce and public health. As there is an effort on the part of my friends on the other side of the aisle to eliminate these critical protections, it's important to keep that in mind.

Pollution destroys habitat and cripples local fishing and tourism. There has been talk about economic development.

Well, it costs money to deal with treating polluted waters. There are 40 million recreational anglers in America that generate $125 billion in economic output, including $45 billion in retail sales and pay $16.4 billion in State and Federal taxes.

The sport supports over 1 million American jobs right here in the United States. And when a wetland is filled with sediment or drained, it can no longer protect towns from devastating floods.

We have had witness over the last couple of years of this devastating impact. An acre of wetland provides more than $10,000 per person in public benefits. If you lose 1 percent of a watershed's wetland, it can increase flood volume by almost 7 percent. These are nature's sponges that we need to protect.

It's also important to point out that not all States protect the quality of their water. Some States just simply don't care as much as other States; some States are not as capable of protecting it.

In those States where protection is lax, the EPA must have the authority to step in to protect the economy, the environment, and human welfare for residents in that State as well as the States that are downstream that would also be affected. We shouldn't have Americans held hostage to the lowest common denominator of people who are simply not going to maintain the standards.

This amendment preserves that authority for the EPA to protect communities who rely on water for fishing and other economic benefits, along with wetlands that create vital flood protection.

Mr. Chairman, the American public strongly supports clean water. This has been one of the most popular pieces of legislation since it was enacted in the Nixon administration. It, until now, has had pretty broad bipartisan support.

The legislation here represents the most aggressive attack on it, in my memory, in 15 years in Congress. My amendment, at least, would clarify this particular item.

I urge its adoption.

I reserve the balance of my time.

Mr. GIBBS. I wish to claim time in opposition to the amendment.

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

Mr. GIBBS. Mr. Chairman, I must strongly oppose this amendment because it basically aims to gut the underlying bill.

This amendment is designed to ensure that the EPA can continue to unilaterally force its own one-size-fits-all

Federal policies onto the States' water quality programs.

The underlying bill, H.R. 2018, reestablishes the States' balanced role in carrying out the provisions of the Clean Water Act; but this amendment, in effect, says that the underlying bill will not apply virtually anywhere the Clean Water Act applies.

Implicitly, this amendment also says that the States cannot be trusted in protecting the quality of their waters and the health of their citizens, and the Federal Government knows best.

Once States have approved clean water programs, they are capable of administering their programs and caring for the welfare of their citizens. EPA needs to be more respectful of the decisions made by the States in those circumstances.

H.R. 2018 is a good bill that restores balance to an out-of-control U.S. EPA. The intent of this amendment is to make the bill completely unworkable. I would also add that I think that the Clean Water Act has worked until now when the States have been usurped of their authority and ability to enforce the State and Federal EPA environmental laws.

I urge all Members to oppose this amendment.

I reserve the balance of my time.

The Acting CHAIR. The gentleman from Oregon has 2 minutes remaining.

Mr. BLUMENAUER. Mr. Chairman, I would yield 1 minute to my friend and colleague from Oregon (Mr. DEFAZIO), a gentleman who deeply understands the importance of this amendment.

Mr. DEFAZIO. Well, the gentleman that just preceded me said this would gut this bill. He is right, it would gut this bill which deserves to be gutted.

This bill would take us back to pre-Clean Water Act standards. He says, oh, the States, if they have standards, shouldn't be bothered by the EPA. Well, this bill says if a State has adopted standards on paper, but they choose not to enforce them and they are out of compliance, the EPA can take no action.

It further says that if we discover a new harmful pollutant, as we did recently when we upgraded the standards for arsenic, most of us don't want our kids drinking arsenic in the water. The EPA cannot enforce new national standards if we discover a new dangerous pollutant unless the State agrees. It's optional; it's up to the State.

And then, of course, if you happen to be a State downstream from a State that is choosing to kind of stick it to its own people by not adopting the highest standards, or not even enforcing their existing standards, you are downstream, you don't have any choice. You have no recourse.

This bill is absurd in terms of the fact that it is just designed to totally gut the Clean Water Act and turn back the clock to the good old days when we had rivers that burned.

Mr. GIBBS. I continue to reserve the balance of my time.

Mr. BLUMENAUER. I yield the balance of my time to the distinguished gentleman from Long Island, New York (Mr. BISHOP), who has some experience with problems of water pollution and erosion.

The Acting CHAIR. The gentleman from New York is recognized for 1 minute.

Mr. BISHOP of New York. I thank the gentleman for yielding, and I thank the gentleman for offering this amendment, along with Mr. MARKEY and Mr. DEFAZIO.

Mr. Chairman, if H.R. 2018 were enacted as drafted, it would restrict the EPA's ability to protect the Nation's waters from pollution. As we know, if pollution is allowed to increase due to the dueling interests of States, many sources of clean drinking water would be imperiled, valuable fish and wildlife habitat would be endangered and coastal recreational waters, like the shores of my Long Island, would be at risk, along with all the economic benefits these resources provide.

The Markey-DeFazio-Blumenauer amendment simply restricts the provisions of this bill from endangering waters that provide flood protection for communities, our valuable fish and wildlife habitat or our coastal recreational waters that are the backbone of my district's economy. In fact, my district will face real economic danger if this bill is not amended, not to mention the environmental danger that my district and districts all over this country will face.

I strongly urge my colleagues to support this amendment.

□ 1620

Mr. GIBBS. Mr. Chairman, I would just like to comment on the comments from my colleague from Oregon talking about a new pollutant. Well, under H.R. 2018, if there's a new pollutant out there and it comes in and it is not in an already State-approved plan, the State has to take action, and the EPA and the State have to work cooperatively to develop a new plan to address that issue. So I think if the issue of arsenic came up, they would have to work that out cooperatively.

And the comment about States won't take action, I can't believe that a State EPA is not going to take action. Oregon—maybe they're not going to take action in Oregon. It's hard for me to believe that. But I don't think this amendment is necessary, and I oppose the amendment.

Ms. HIRONO. Mr. Chair, I rise today in strong support of the amendment offered by Mr. MARKEY, of which I am proud to be a cosponsor.

Many of us have seen iconic images of the Cuyahoga River burning in the 1950s. Sadly, this was not an isolated event—the Cuyahoga caught fire numerous times. The reason for these fires was that the river was heavily, heavily contaminated with flammable industrial waste.

This water was dangerous to drink and to swim in. Fish and wildlife could not survive. Flooding in this river would have spread pollution onto shore and into neighborhoods and homes. In short, this pollution was dangerous for the health of the people and communities that depended on the river.

It was incidents like these that helped raised public awareness of the dangers of water pollution.

Ultimately, that awareness became government action—including the creation of the EPA in 1970, and passage of the Clean Water Act in 1972.

The EPA's purpose is simple: to protect human health and the environment. It does this by acting as a referee between the states—working to ensure minimum standards for water quality nationwide. These standards help to ensure an even playing field for states and businesses, while preserving safe, adequate water supplies for our children and communities.

The underlying bill we are considering, the so-called "Clean Water Cooperative Federalism Act" is deeply flawed, primarily because it seems to forget a critical point—watersheds, coastlines, and waterways don't always end at state boundaries.

Our amendment is also simple. It preserves the EPA's current role in protecting certain bodies of water. Specifically, water bodies that provide flood protection for communities, valuable fish and wildlife habitats, and coastal recreation.

Our rivers, coastlines, and wetlands are the places that we take our children to experience the wonder of our country. This is where their interests in the natural sciences and the outdoors are kindled. And this is where we should expect them to be safe from chemicals, industrial waste, and other pollutants.

Our amendment will help to preserve the natural resources that transcend state boundaries—and benefit the health and vitality of communities across the nation.

I hope that my colleagues will join us in supporting this amendment.

Ms. SLAUGHTER. Mr. Chair, I rise today to protect the Clean Water Act and in support of the amendment offered by Representatives MARKEY (MA), DEFAZIO (OR), CAPPS (CA), BLUMENAUER (OR), CAPUANO (MA), NAPOLITANO (CA) and HIRONO (HI). Since the passage of the Clean Water Act our waterways have gotten cleaner and our public health has improved. Thanks to the Clean Water Act, the United States has achieved significant gains in public health, a cleaner environment, and a stronger more sustainable economy.

The Clean Water Act, CWA, is one of our nation's greatest environmental laws, safeguarding our rivers, lakes, and streams and protecting the health and safety of our drinking water. The CWA was enacted as a bipartisan effort almost a half century ago, coming on the heels of several rivers catching on fire, including the Cuayahoga River in 1969, and the decimation of Lake Erie's fisheries due to pollution. Under the current Administration, the Environmental Protection Agency, EPA, has taken significant actions to improve the safety of our drinking water, and continues to protect of our nation's waterways.

There is no right more basic than the right to safe drinking water, and that right depends on unpolluted source waters. The Clean Water Act protects our water from heavy metals such as arsenic and lead, dangerous pathogens like

E. coli, and other toxins. Clean drinking water is basic to our very survival.

The amendment before us would ensure that if this bill, H.R. 2018, ever made it into law, it would not endanger the safety protections provided under the Clean Water Act for waters that provide flood protection for communities, are a valuable fish and wildlife habitat that provide benefits to the economy, or are coastal recreational waters. We cannot sacrifice our waterways for the interests of big polluters.

The nation's fish and wildlife habitats and recreational waters are fruitful economic drivers for local communities, especially in the area I proudly represent on Lake Ontario. According to a recent study, 900,000 recreational boaters using Great Lakes harbors spend approximately $2.35 billion annually on boating trips and another $1.4 billion to purchase and maintain their watercraft. This supports 60,000 jobs in the region and generates $1.7 billion in annual personal income. The CWA has served an integral part in cleaning up and maintaining the health of our waters, and therefore boosting the health of our local economies.

A strong Clean Water Act has moved us beyond the days of rivers on fire. However, there is still more to be done. State and EPA data reveal that 44 percent of assessed river and stream miles and 64 percent of assessed lake acres do not meet relevant water quality standards. Now is the time to support the efforts of the EPA as the agency works to ensure we all have access to clean water.

I urge my colleagues to support the Markey amendment so that our environment and local economies remain protected under the Clean Water Act. We must reject any effort to repeal our valuable protections, and recommit our pledge to the American people to work toward a cleaner, healthier, more prosperous future.

Mr. MARKEY. Mr. Chair, I rise in support of Amendment 9 to H.R. 2018, the Clean Water Cooperative Federalism Act of 2011 and to oppose the underlying bill, which would overturn almost forty years of Federal legislation by preventing EPA from protecting public health and water quality. H.R. 2018 will turn the Clean Water Act into the Dirty Water Act.

Let me paint a picture of what my hometown rivers, the Malden, the Mystic and the Charles, looked like forty years ago. Raw sewage flowed into the river from outmoded wastewater treatment plants. Toxic discharges from industrial facilities colored the river pink and orange. Fish kills, submerged cars and appliances, leaching riverbank landfills, and noxious odors were common occurrences.

Because of the Clean Water Act, polluted rivers are being relegated to the history books like the water-powered textile mills on these rivers that started the Industrial Revolution in the United States. Using sound science, cutting-edge technologies and by making polluters pay, EPA and its partners have made remarkable progress in restoring these rivers. The award-winning River's Edge Park on the shores of the Malden River is a testament to the economic development that follows the implementation of environmental laws.

My amendment to H.R. 2018 would ensure that any waters that EPA determines provides flood protection for communities, or are valuable fish and wildlife habitat that provide benefits to the economy, or are coastal recreational waters would continue to be protected. Our clean rivers must not return to their polluted past.

My amendment would also protect the progress made to restore fishing and swimming on sections of the Connecticut River, New England's longest river, by ensuring federal protection for rivers that run through more than one state.

The Army Corps of Engineers estimates that protecting wetlands along the Charles River in Boston saves as much as $17 million annually in averted flood damage, and economists estimate that each acre of wetland provides more than $10,000 per person in public benefits each year.

The song "Dirty Water" is played after every Red Sox home win. The song memorializes the polluted Charles and Boston Harbor. And while those of us in Boston love the song, we like our new, clean, healthy Charles River more. Support my amendment and keep this song as an oldie, instead of turning it into a modern hit on the demise of the Clean Water Act.

Mr. GIBBS. I yield back the balance of my time.

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

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

Mr. BLUMENAUER. 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.

AMENDMENT NO. 10 OFFERED BY MR. CARNAHAN

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 112–144.

Mr. CARNAHAN. 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 the bill, add the following:

SEC. 6. PROTECTION OF WATERS AFFECTED BY FLOODING DISASTERS.

None of the provisions of this Act, including the amendments made by this Act, shall apply to—

(1) waters that are located in an area for which the President has declared, at any time during the preceding 5-year period, a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) due to flooding; or

(2) other waters that contributed to such a declaration.

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from Missouri (Mr. CARNAHAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. CARNAHAN. Mr. Chair, 2011 is already the costliest year for natural disasters in history. Over $250 billion in economic damages have already been incurred around the world. In the U.S. alone, storms, flooding, wildfires, and earthquakes have already done roughly $27 billion in damage, more than double the annual average over the last decade.

Living near the confluence of our country's two greatest rivers, the Mississippi and the Missouri, my constituents in the St. Louis region have rebuilt from floods many times, and we understand the challenges facing communities across the Nation during this unprecedented season of floods.

Even after the cleanup has begun, flood-affected communities face the prospect of public health epidemics spread by dirty water, in effect, creating a double crisis for communities already struggling to pick up the pieces. We have all seen the shocking images from cities large and small along the Mississippi this spring, and the last thing these communities need are weakened clean water standards that would put them at risk of waterborne diseases or even toxic chemicals.

My amendment to H.R. 2018 would ensure that communities recovering from devastating floods would not be burdened by the public health threats posed by dirty water. It simply states that none of the provisions of H.R. 2018 would apply where the President has declared a disaster due to flooding within the past 5 years or to waters that have contributed to such a flood.

This is a commonsense amendment. It will help reassure flood-affected communities that their water is safe and healthy. I urge my colleagues to stand up for flood-affected communities across the country by voting in favor of the Carnahan amendment.

I reserve the balance of my time.

Mr. GIBBS. Mr. Chairman, I wish to claim time in opposition to the amendment.

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

Mr. GIBBS. Under the gentleman from Missouri's amendment, if a State has made a disaster declaration any time in the last 5 years, H.R. 2018 would not be applicable to waters in the area. This amendment would continue to allow the EPA to overturn State-established and U.S. EPA-approved water quality standards and unilaterally impose federally dictated permitting and other regulatory requirements on States and other disaster responders. This, in turn, would impact on the ability of States and other disaster responders to respond to and conduct cleanups after major flood disasters and would discourage States from seeking disaster assistance.

I urge all Members to oppose the Carnahan amendment.

I yield back the balance of my time.

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

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

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

Mr. CARNAHAN. 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 Missouri will be postponed.

Mr. GIBBS. 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. GIBBS) having assumed the chair, Mr. MCCLINTOCK, 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. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes, had come to no resolution thereon.

RECESS

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

Accordingly (at 4 o'clock and 27 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1720

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HECK) at 5 o'clock and 20 minutes p.m.

CLEAN WATER COOPERATIVE FEDERALISM ACT OF 2011

The SPEAKER pro tempore. Pursuant to House Resolution 347 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. 2018.

□ 1722

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. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes, with Mr. MCCLINTOCK (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, a request for a recorded vote on amendment No. 10 printed in House Report 112–144 by the gentleman from Missouri (Mr. CARNAHAN) had been postponed.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112–144 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Ms. JACKSON LEE of Texas.

Amendment No. 3 by Mrs. CAPITO of West Virginia.

Amendment No. 5 by Mr. POLIS of Colorado.

Amendment No. 6 by Mr. CONNOLLY of Virginia.

Amendment No. 9 by Mr. BLUMENAUER of Oregon.

Amendment No. 10 by Mr. CARNAHAN of Missouri.

Amendment No. 1 by Ms. JACKSON LEE of Texas.

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

AMENDMENT NO. 2 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 170, noes 252, not voting 9, as follows:

[Roll No. 565]

AYES—170

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
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
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—252

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
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
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Holden
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
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
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 (FL)
Young (IN)

NOT VOTING—9

Bishop (GA)
Cantor
Ellison
Giffords
Hastings (WA)
Hinchey
Hoyer
McCotter
Pelosi

□ 1753

Messrs. RIBBLE, CRAWFORD, and FITZPATRICK changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mrs. EMERSON was allowed to speak out of order.)

WOMEN'S SOFTBALL RAISES $50,000 FOR YOUNG SURVIVAL COALITION

Mrs. EMERSON. On behalf of Congresswoman DEBBIE WASSERMAN SCHULTZ and myself, we are very proud to announce that the Women's Bipartisan Congressional Softball Team beat the Washington Female Press Corps in our recent softball game by a score of 5–4. In the spirit of our U.S. Women's Soccer team which won today and are on their way to the final in the World Cup—we probably aren't quite in that category. But for us this was the World Cup, and we are very proud and we want to thank everybody for the great support that you gave to us.

I would be remiss if I didn't explain how we won. In the bottom of the seventh inning, because we only play seven innings, with the score tied 4–4, LAURA RICHARDSON and LINDA SÁNCHEZ were both walked because the other team was afraid of them hitting, and then DEBBIE gets up and she hits a single. And were it not for the fact that LINDA SÁNCHEZ ran around the bases, collided with the catcher, and slid in on her stomach at home, we would not have won. But we did. Thank you, LINDA SÁNCHEZ.

I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, we are so proud of not just our victory, which was incredibly sweet, and we're really so sorry that our opposition is not in the press gallery to witness this acceptance of the trophy. But the two things that we are the most proud of, one is that we continue to be the best example of bipartisanship in the Capitol, in the United States Capitol, and we hope that our camaraderie will extend to the rest of the legislative process. Hopefully we can continue to be that example and it will carry over. We know that it carries over for all of our friendships and our relationships. Number two, the beneficiary of the Congressional Women's Softball Game each year is the Young Survival Coalition, which is an organization that is dedicated to raising awareness and providing assistance to young women diagnosed with breast cancer under 40 years old.

Most of you know that I was 41 when I was diagnosed 3½ years ago with breast cancer, and I am still here to talk about it, thank God. Thank you. There are only two women breast cancer survivors in the House of Representatives—myself and SUE MYRICK. So as you can see, that's bipartisan as well. I know she and I both very much appreciate the time and dedication, companionship, camaraderie—I can never get through this without being emotional.

The women on this team came out 20 different times at 7 in the morning to practice to get ready for this game. We raised more than $50,000 for the Young Survival Coalition. Thank you. So many of you came out, and so many of our staff came out. We had 875 people come watch the game this year. It was just a phenomenal success. We can't thank you enough. We will be back next year. We understand that the press wants a rematch, they told us so the night of the game, and we look forward to beating them again next year.

Mrs. EMERSON. I yield back the balance of my time.

AMENDMENT NO. 3 OFFERED BY MRS. CAPITO

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from West Virginia (Mrs. CAPITO) 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 is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 268, noes 152, not voting 11, as follows:

[Roll No. 566]

AYES—268

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Cardoza
Carney
Carter
Cassidy
Chabot
Chaffetz
Chandler
Clarke (MI)
Coble
Coffman (CO)
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
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
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kaptur
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
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
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Sanchez, Loretta
Scalise
Schilling
Schmidt
Schock
Schrader
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 (FL)
Young (IN)

NOES—152

Ackerman
Andrews
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Green, Al
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hirono
Hochul
Holt
Honda
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Keating
Kelly
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
Meeks
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt

Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—11

Bishop (GA)
Cantor
Cole
Ellison
Giffords
Hastings (WA)
Hinchey
Hoyer
Landry
McCotter
Pelosi

□ 1802

Messrs. WALDEN, MCCLINTOCK, and LIPINSKI changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. KELLY. Mr. Chair, during consideration of H.R. 2018, the Clean Water Cooperative Federalism Act of 2011, I voted ''no'' on the Capito Amendment, rollcall No. 566, when it was my intent to vote ''yea.''

AMENDMENT NO. 5 OFFERED BY MR. POLIS

The Acting CHAIR (Mr. CHAFFETZ). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the 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 191, noes 231, not voting 9, as follows:

[Roll No. 567]

AYES—191

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

NOES—231

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Benishek
Berg
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
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Critz
Culberson
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Heck
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
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
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
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 (FL)
Young (IN)

NOT VOTING—9

Bishop (GA)
Cantor
Ellison
Giffords
Hastings (WA)
Hinchey
Hoyer
McCotter
Pelosi

□ 1806

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. CONNOLLY OF VIRGINIA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 181, noes 240, not voting 10, as follows:

[Roll No. 568]

AYES—181

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Edwards
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holt
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reichert
Reyes
Richardson
Richmond
Rigell
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires

Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wittman
Wolf
Woolsey
Wu
Yarmuth

NOES—240

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Cardoza
Carter
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Heck
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Renacci
Ribble
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 (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Bishop (GA)
Cantor
Ellison
Giffords
Hastings (WA)
Hinchey
Honda
Hoyer
McCotter
Pelosi

□ 1810

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. BLUMENAUER

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 183, noes 237, not voting 11, as follows:

[Roll No. 569]

AYES—183

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

NOES—237

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

NOT VOTING—11

Bishop (GA)
Cantor
Cuellar
Ellison
Giffords
Hastings (WA)
Hinchey
Hoyer
McCotter
Paul
Pelosi

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 30 seconds remaining.

□ 1814

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. CARNAHAN

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 173, noes 247, not voting 11, as follows:

[Roll No. 570]

AYES—173

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

NOES—247

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
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
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Holden
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
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
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 (FL)
Young (IN)

NOT VOTING—11

Bishop (GA)
Cantor
Ellison
Giffords
Hastings (WA)
Hinchey
Hoyer
Johnson (GA)
McCotter
Paul
Pelosi

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 30 seconds remaining.

□ 1818

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 1 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) 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 167, noes 254, not voting 10, as follows:

[Roll No. 571]

AYES—167

Ackerman
Andrews
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
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
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—254

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)

Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
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)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Holden
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
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
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 (FL)
Young (IN)

NOT VOTING—10

Bishop (GA)
Cantor
Ellison
Giffords
Hastings (WA)
Hinchey
Hoyer
McCotter
Paul
Pelosi

□ 1822

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. WESTMORELAND). The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CHAFFETZ) having assumed the chair, Mr. WESTMORELAND, 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. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes, and, pursuant to House Resolution 347, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

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

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT

Mr. MCNERNEY. Mr. Speaker, I have a motion to recommit at the desk.

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

Mr. MCNERNEY. I am opposed.

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

The Clerk read as follows:

Mr. McNerney moves to recommit the bill H.R. 2018 to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following:

SEC. 6. LIMITATION ON APPLICABILITY.

None of the provisions of this Act, including the amendments made by this Act, shall affect the authority of the Administrator of the Environmental Protection Agency, as in effect on the day before the date of enactment of this Act, with respect to any discharge or standard under the Federal Water Pollution Control Act that could result in an increased loading of a pollutant, including arsenic or perchlorate, into waters that are a source for a public drinking water supply.

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

Mr. MCNERNEY. Mr. Speaker, today I rise to offer a straightforward and commonsense motion to recommit that will protect our country's drinking water. My amendment is an important proposal that, if adopted, will allow a vote on final passage to proceed immediately.

My motion simply clarifies that the provisions of H.R. 2018 do not affect our country's ability to limit pollution of drinking water supplies, including arsenic and perchlorate pollution. Communities across America have suffered from arsenic and perchlorate contamination, a problem with well-documented and serious consequences. In fact, based on information publicly available on government Web sites, there are at least 71 congressional districts that would be directly impacted by my amendment. These 71 districts have local waters that are contaminated with significant amounts of arsenic and/or perchlorate.

I would like to insert into the RECORD the congressional districts that have these toxins in their waters and urge all of my colleagues, especially those representing these locations, to vote for my amendment.

Arsenic and perchlorate have been linked to many harmful health effects. These effects include bladder, liver, lung and prostate cancers, reproductive and development impediments, and thyroid complications. These health problems have no party line. They affect Democrats and Republicans alike. According to the Centers for Disease Control and other experts, the effects of the contamination can either be short lived or linger for years within the body. These consequences can be especially tragic for children and the most vulnerable among us.

Many of us have experienced one of these conditions or witnessed a loved one going through a serious illness. It's a heartbreaking experience. No matter what our differences on policy matters or the legislation we are debating today, I know that all of us believe we should do everything we can to prevent these diseases.

Our country has made tremendous progress in improving water quality in the decades since the Clean Water Act was passed. We have doubled the amount of waters that are safe for fishing and swimming since the Clean Water Act was passed decades ago. That's a proud legacy and one that we should strive to continue. One of the most basic things we can do is to prevent contamination from serious toxins like arsenic. As written, H.R. 2018 ties our country's hands and makes it more difficult to combat pollution of our drinking water supplies.

Today, more than 200 million Americans rely on public drinking water systems that utilize surface waters. Preserving the quality of water is critically important to the millions of Americans who rely on it for drinking, to farmers who rely on it for clean water to grow their crops, and to the businesses around the country that depend on healthy waterways. My amendment is needed to protect the health and well-being of tens of millions of Americans.

Now, we can have legitimate differences and vigorous debate about the proper roles of State and Federal Government, but we should all be united to preserve clean, healthy drinking water for ourselves, our children, and future generations.

I will say again that if my amendment is adopted, a vote on final passage of H.R. 2018 will proceed immediately. The motion to recommit is an important policy proposal, and I urge my colleagues to support it.

Please do the right thing for families and businesses across America and stand up for the health and safety of our drinking water.

I urge my colleagues to support this commonsense motion to recommit.

PERCHLORATE CONTAMINATION IN WATER BY CONGRESSIONAL DISTRICT

Congressional district	Representative	Site name	Location city/county	Percholorate GW concentration (ppb)	Perchlorate SW concentration (ppb)
AL–3	Rep. Rogers, Michael [R–AL3]	Ft. McClellan	Anniston	3	3
AL–5	Rep. Brooks, Mo [R–AL5]	U.S. Army/NASA RedStone Arsenal	Huntsville	2,200,000	12,200
AR–7	Rep. Grijalva, Raúl [D–AZ7]	Shumaker NAD (FUDS)	Camden	850	—
		Aerojet	East Camden	640,000	12,500
CA–3	Rep. Lungren, Daniel [R–CA3]	Mather AFB	Rancho Cordova	1,800	—
CA–7	Rep. Miller, George [D–CA7]	Concord Naval Weapons Station	Concord	—	—
CA–10	Rep. Keating, William [D–MA10]	South Weymouth Naval Air Station	Weymouth	1,935	—
		Massachussets Military Reservation	Bourne	500	—
CA–22	Rep. McCarthy, Kevin [R–CA22]	Edwards AFB/Air Force Research Laboratory	Edwards	4,550	—
		Edwards AFB/Dryden Flight Research Center	Edwards	300	—
		Edwards AFB/Jet Propulsion Laboratory	Edwards	160,000	—
CA–24	Rep. Gallegly, Elton [R–CA24]	Vandenburg AFB	Lompoc	517	—
CA–25	Rep. McKeon, Howard [R–CA25]	Edwards AFB/Jet Propulsion Laboratory	Edwards	160,000	—
CA–26	Rep. Dreier, David [R–CA26]	San Gabriel Valley	San Gabriel Valley	2,180	—
CA–34	Rep. Roybal-Allard, Lucille [D–CA34]	Aerojet General Corp.—Ranchero Cordova	Rancho Cordova	6,400,000	—
CA–43	Rep. Baca, Joe [D–CA43]	Stringfellow	Glen Avon	682,000	—
CA–48	Rep. Campbell, John [R–CA48]	El Toro MCAS	El Toro	395	—
CO–3	Rep. Tipton, Scott [R–CO3]	Pueblo Chemical Depot	Pueblo	180	—
MD–2	Rep. Ruppersberger, Dutch [D–MD2]	Aberdeen Proving Ground	Aberdeen	3,500	—
MD–4	Rep. Edwards, Donna [D–MD4]	Naval Surface Warfare Center	Indian Head	276,000	4
MO–7	Rep. Long, Billy [R–MO7]	Expert Management Inc.	Joplin	107,000	—
NM–2	Rep. Pearce, Stevan [R–NM2]	White Sands Missile Range (US Army)	White Sands	21,000	—
NV–3	Rep. Heck, Joe [R–NV3]	Kerr-McGee Chemical	Henderson	3,400,000	120,000
		PEPSON (Former)	Henderson	6,000,000	—
TX–1	Rep. Gohmert, Louis [R–TX1]	Longhorn Army Ammunition Plant	Karnack	203,000	11,000
WV–1	Rep. McKinley, David [R–WV1]	Alliant Tech; Allegheny Ballistics Laboratory	Keyser	34,900	400

Data Compiled by EPA from Various Sources: EPA (U.S. Environmental Protection Agency). 2004d. Known Perchlorate Releases in the U.S.—September 23, 2004. Perchlorate Occurrences. (Federal Facilities Restoration and Reuse Office, Office of Solid Waste and Emergency Response, U.S. Environmental Protection Agency.)

ARSENIC CONTAMINATION IN WATER BY CONGRESSIONAL DISTRICT

[Maximum Concentration Limit for Arsenic is 10ppb]

Congressional District	Representative	Location City/ County	Arsenic Concentration (ppb)
AR–1	Rep. Crawford, Rick [R–AR1]	Augusta SE to Marianna	10–50 (>10)
AR–2	Rep. Griffin, Tim [R–AR2]	Augusta SE to Marianna	10–50 (>10)
AZ–1	Rep. Gosar, Paul [R–AZ1]	Safford	10–50 (>10)
		Big Park (area S–SW of Flagstaff)	10–50 (>10)
CA–1	Rep. Thompson, Michael [D–CA1]	Sacramento Region	10–50 (>10)
		Lakeport	10–50 (>10)
CA–2	Rep. Herger, Walter [R–CA2]	Sacramento Region	10–50 (>10)
		Colusa	10–50 (>10)
CA–3	Rep. Lungren, Daniel [R–CA3]	Sacramento Region	10–50 (>10)
CA–4	Rep. McClintock, Tom [R–CA4]	Sacramento Region	10–50 (>10)
CA–5	Rep. Matsui, Doris [D–CA5]	Sacramento Region	10–50 (>10)
CA–11	Rep. McNerney, Jerry [D–CA11]	Stockton	10–50 (>10)
CA–18	Rep. Cardoza, Dennis [D–CA18]	Stockton	10–50 (>10)
CA–19	Rep. Denham, Jeff [R–CA19]	Stockton	10–50 (>10)
CA–20	Rep. Costa, Jim [D–CA20]	Bakersfield	10–50 (>10)
CA–22	Rep. McCarthy, Kevin [R–CA22]	Bakersfield	10–50 (>10)
CA–25	Rep. McKeon, Howard [R–CA25]	Benton (near Mount Montgomery, NV)	>50
		Between/Around Mojave and Death Valley	>50
CA–26	Rep. Dreier, David [R–CA26]	Los Angeles + trending NE	10–50 (>10)
CA–31	Rep. Becerra, Xavier [D–CA31]	Los Angeles + trending NE	10–50 (>10)
CA–32	Rep. Chu, Judy [D–CA32]	Los Angeles + trending NE	10–50 (>10)
CA–33	Rep. Bass, Karen [D–CA33]	Los Angeles + trending NE	10–50 (>10)
CA–34	Rep. Roybal-Allard, Lucille [D–CA34]	Los Angeles + trending NE	10–50 (>10)
CA–35	Rep. Waters, Maxine [D–CA35]	Los Angeles + trending NE	10–50 (>10)
CA–36	Rep. Hahn (elect)	Los Angeles + trending NE	10–50 (>10)
CA–37	Rep. Richardson, Laura [D–CA37]	Los Angeles + trending NE	10–50 (>10)
CA–38	Rep. Napolitano, Grace [D–CA38]	Los Angeles + trending NE	10–50 (>10)
CA–39	Rep. Sánchez, Linda [D–CA39]	Los Angeles + trending NE	10–50 (>10)
CA–40	Rep. Royce, Edward [R–CA40]	Los Angeles + trending NE	10–50 (>10)
CA–42	Rep. Miller, Gary [R–CA42]	Los Angeles + trending NE	10–50 (>10)
CA–47	Rep. Sanchez, Loretta [D–CA47]	Los Angeles + trending NE	10–50 (>10)
CA–41	Rep. Miller, Gary [R–CA42]	Between/Around Mojave and Death Valley	>50
CA–51	Rep. Filner, Bob [D–CA51]	El Centro	>50
ID–1	Rep. Labrador, Raúl [R–ID1]	Boise	10–50 (>10)
		Burgdorf East to North Fork	10–50 (>10)
ID–2	Rep. Simpson, Michael [R–ID2]	Boise	10–50 (>10)
		Burgdorf East to North Fork	10–50 (>10)
MA–4	Rep. Frank, Barney [D–MA4]	Boston	10–50 (>10)
MA–6	Rep. Tierney, John [D–MA6]	Boston	10–50 (>10)
MA–7	Rep. Markey, Edward [D–MA7]	Boston	10–50 (>10)
MA–8	Rep. Capuano, Michael [D–MA8]	Boston	10–50 (>10)
MA–9	Rep. Lynch, Stephen [D–MA9]	Boston	10–50 (>10)
MA–10	Rep. Keating, William [D–MA10]	Boston	10–50 (>10)
ME–1	Rep. Pingree, Chellie [D–ME1]	Augusta N to coast and E to coast	10–50 (>10)
ME–2	Rep. Michaud, Michael [D–ME2]	Augusta N to coast and E to coast	10–50 (>10)
MT At Large	Rep. Rehberg, Dennis [R–MT]	Anaconda	>50
		Bozeman	>50
ND At Large	Rep. Berg, Rick [R–ND]	Ellendale	>50
NM–2	Rep. Pearce, Steven [R–NM2]	Las Cruces	10–50 (>10)
NV–2	(Was Rep. Dean Heller)	E from Reno and Carson	>50
		Mount Montgomery (near Benton, CA)	>50
OK–3	Rep. Lucas, Frank [R–OK3]	Oklahoma City	10–50 (>10)
OK–4	Rep. Cole, Tom [R–OK4]	Oklahoma City	10–50 (>10)
OK–5	Rep. Lankford, James [R–OK5]	Oklahoma City	10–50 (>10)
OR–1	Rep. Wu, David [D–OR1]	Salem NW to Tallamook	10–50 (>10)
OR–2	Rep. Walden, Greg [R–OR2]	Burns, Oregon	>50
OR–4	Rep. DeFazio, Peter [D–OR4]	Elkton	10–50 (>10)
OR–5	Rep. Schrader, Kurt [D–OR5]	Salem NW to Tallamook	10–50 (>10)
SD At Large	Rep. Noem, Kristi [R–SD]	Briton	>50
TX–13	Rep. Thornberry, William [R–TX13]	Amarillo	10–50 (>10)
TX–15	Rep. Hinojosa, Ruben [D–TX15]	Hebbronville	>50
TX–16	Rep. Reyes, Silvestre [D–TX16]	El Paso	10–50 (>10)
TX–19	Rep. Neugebauer, Randy [R–TX19]	Lubbock	10–50 (>10)
TX–28	Rep. Cuellar, Henry [D–TX28]	Hebbronville	>50

Data from Map Prepared by USGS NAQWA available on NationalAtlas.gov.

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

□ 1830

Mr. GIBBS. I rise in opposition to the motion.

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

Mr. GIBBS. Mr. Speaker, as we have seen time and time again, this motion is nothing more than a partisan political move.

There has been ample time for my colleagues on the other side of the aisle to suggest amendments to this bill in regular order. As we've been doing all year, our Republican majority is openly considering bills through the committee process and full consideration by the House. This bill is no exception. And yet here we have a last-minute motion that is designed to ensure that EPA can continue to unilaterally force its own one-size-fits-all Federal policies onto the States' water quality programs.

The underlying bill, H.R. 2018, reestablishes the States' balanced role in carrying out the provisions of the Clean Water Act. But this motion, in effect, says that the underlying bill will not apply virtually anywhere the Clean Water Act applies. Implicitly, this motion also says that the States cannot be trusted in protecting the quality of their waters and the health of their citizens, and the Federal Government knows best.

The fact is that our bill is the result of bipartisan work that will protect against unwarranted intrusions by the U.S. EPA. It ensures the continuation of longstanding cooperation between the Federal Government and the States to appropriately issue regulations. Passage of the underlying bill will stop the EPA from repeatedly creating regulatory uncertainty and forcing unnecessary and endless delays, and the time to act is now.

With that, I urge a ''no'' vote on the motion.

I yield back the balance of my time.

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

There was no objection.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 188, noes 238, not voting 5, as follows:

[Roll No. 572]

AYES—188

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
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
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—238

Adams
Aderholt
Akin
Alexander
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
Costa
Cravaack
Crawford
Crenshaw
Culberson
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
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
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
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
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 (FL)
Young (IN)

NOT VOTING—5

Bishop (GA)
Ellison
Giffords
Hinchey
McCotter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1849

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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

Mr. BISHOP of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 239, nays 184, not voting 8, as follows:

[Roll No. 573]

YEAS—239

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)

Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
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)
Heck
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
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Rooney
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Royce
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Ellison
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ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1856

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. DIAZ-BALART of Florida. Mr. Speaker, on rollcall No. 573 I was unavoidably detained. Had I been present, I would have voted "yea."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 306

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of House Resolution 306.

The SPEAKER pro tempore (Mr. LANKFORD). Is there objection to the request of the gentlewoman from Florida?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1380

Mr. CASSIDY. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1380.

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

There was no objection.

GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 2354, and that I may include tabular material on the same.

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

There was no objection.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 337 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. 2354.

□ 1856

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. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with Mr. CHAFFETZ (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, July 12, 2011, the bill had been read through page 24, line 23.

AMENDMENT NO. 57 OFFERED BY MR. REHBERG

Mr. REHBERG. 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 24, line 18, after the dollar amount insert "(reduced by $2,200,000) (increased by $2,200,000)".

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

Mr. REHBERG. Mr. Chairman, this amendment directs $2.2 million of the Department of Energy's Fossil Energy Research Development budget to the Risk Based Data Management System.

The Risk Based Data Management System is a State governmental agency-based information system initiative to help States collect and aggregate essential oil, gas, and environmental compliance information, local geology data, base of freshwater data, well construction specifics, area production historical data, and information provided by companies applying for permits.

This type of information system has resulted in better environmental protection; public disclosure of all chemicals; easier, cheaper, and faster environmental compliance for industry-enhanced State environmental enforcement. That's why my amendment is broadly supported by State environmental agencies, State regulators, the energy industry, and many in the environmental community.

Providing this funding will allow for enhanced environmental protection

and enhanced oil and gas production. It improves public disclosure of chemicals by providing funding for data systems where operators can disclose chemicals used on all procedures in any State.

The amendment also strengthens State environmental regulation of oil and gas by providing funding for reviews of State environmental programs, including initiatives like the highly successful STRONGER, which is an organization that has done comprehensive reviews of State oil and gas agencies' administrative and regulatory operations using a multi-stakeholder team of three regulators, three environmental NGOs, and three industry representatives.

I yield back the balance of my time.

□ 1900

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

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

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in support of the gentleman's amendment. The gentleman from Montana is a valued member of the Energy and Water subcommittee. His amendment will provide a reasonable amount of funding to continue work on the fossil energy Risk Based Data Management System. By more efficiently tracking and disseminating information, the system will help ensure that the environment is protected while reducing costs for industry, benefits for which I hope all sides can agree.

I support the gentleman's amendment and urge Members to do the same.

I yield back the balance of my time.

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

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

Mr. VISCLOSKY. Mr. Chairman, I rise in opposition to my good friend's amendment.

Since we have been debating this bill, we have heard time and again that we must make tough decisions on what we choose to fund. My colleagues across the aisle, in particular, have made a point repeatedly that we should not be funding activities where industry can and should.

This program deals with research and development to maximize the production capabilities of marginal wells and reservoirs. Certainly we can't argue about the merit of that; but it seems that as we talk about subsidies, particularly to a very profitable industry—oil and gas—we should be consistent. Compiling and maintaining a database on oil and gas wells at this level of detail I do not believe is the proper role of the Federal Government and is likely to be duplicative of what is currently being done in the industry.

Further, it is my understanding that States and private industry have had a great deal of success fostering the recovery of oil and natural gas from marginal wells with similar initiatives. These State and industry initiatives have been successfully driven by an economic need to have pertinent information on hand when evaluating the economic viability or filing permit applications.

Given that that process is working on a local and State level, I do not believe that we should rush for Federal Government involvement. It seems to me that we should be looking for smaller government wherever possible; and this gives us a chance today, in opposition to this amendment, to do it right.

The gentleman makes the assertion that this system has resulted in public disclosure of all chemicals in hydraulic fracturing fluids. Texas has arguably one of the strongest—if not the strongest—disclosure laws and is still far from a requirement to disclose ''all'' chemicals; and the database in question is also significantly weaker than Wyoming's regulation on public disclosure.

Mr. Chairman, I do reluctantly, because of my friendship with the gentleman, strongly oppose his amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

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

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

Mrs. BIGGERT. I rise to engage in a brief colloquy with my colleague from New Jersey (Mr. FRELINGHUYSEN) about the issue of energy efficiency in buildings as it relates to funding for the Energy Information Administration.

First let me say that I very much appreciate the committee's efforts with respect to the EIA and the overall bill. The EIA is an essential resource for the commercial building sector as they seek to improve energy efficiency and reduce energy costs.

I want to clarify the intent of the committee direction for the EIA funding of the Commercial Building Energy Consumption Survey, also known as CBECS. I recognize that the committee recommended an appropriation of $105 million for EIA in fiscal year 2012, roughly $9 million above fiscal year 2011 levels.

Unfortunately, the committee also included limiting language that I'm concerned about. Does the gentleman from New Jersey consider CBECS a priority for EIA?

Mr. FRELINGHUYSEN. Will the gentlewoman yield?

Mrs. BIGGERT. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I thank the gentlewoman from Illinois and agree that the Consumer Building Energy Consumption Survey is an important resource for the building sector. The bill provides an increase of $10 million for the Energy Information Administration; and if funding is available, I expect that an update of the consumer building survey would be funded.

Mrs. BIGGERT. Reclaiming my time, I thank the chairman. As you know, I serve as cochair of the High Performance Building Caucus with Representative RUSS CARNAHAN of Missouri. Many members of the High Performance Building Coalition have come to us to express their concern about an updated CBECS since the latest data is nearly a decade old.

Substantial investments in the commercial building sector have been made since the last CBECS was published in 2003. The updated data is not only valuable to building owners looking to make improvements, but also necessary to inform the Annual Energy Outlook that we, in Congress, rely on.

Finally, I would like to point out that the building renovation sector relies overwhelmingly on American-made goods for its work. In fact, over 90 percent of the manufacturing of furnaces, insulation and ductwork is here in the United States. So by making this data available to commercial buildings through CBECS, we are directly supporting American jobs.

I yield back the balance of my time.

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

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

Mr. CARNAHAN. I thank may colleague, Mrs. BIGGERT, for her remarks and also want to address the important issue of CBECS funding and to engage in a colloquy with my colleague, Mr. VISCLOSKY.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. CARNAHAN. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I also appreciate my colleague raising this important issue. I agree that the committee understands the importance of this program. The CBECS data is essential not just for Federal programs to reduce energy use like EPA's Energy Star for buildings and DOE's building technologies program, but for private sector efforts like the U.S. Green Building Council's lead rating system as well.

Mr. CARNAHAN. Thank you.

As you know, the committee report language states that the Energy Department is directed to fund all data collection, releases and reports on oil, natural gas, electricity, renewables and coal, all previously funded international energy statistics and all ongoing energy analysis efforts before allocating funding to the energy consumption surveys. Unfortunately, this language effectively excludes funding for the Commercial Building Energy Consumption Survey, also known as CBECS.

This is one of the few tools we have that provides a comprehensive assessment of how commercial buildings as diverse as offices, supermarkets and senior centers use energy.

I want to thank the ranking member, I want to thank the chairman, and I want to thank my cochair of the High Performance Building Caucus, Mrs. BIGGERT, for their engagement on this issue. In fact, there was broad private sector support for continuing CBECS.

At this point I would like to submit for the RECORD two letters that were submitted by private sector stakeholders to the Appropriations Committee in support of CBECS. I just want to read one sentence from a letter that I will be submitting for the RECORD: ''If funding is not provided, work on the 2011 CBECS data will likely not continue, and the government and industry will be forced to rely on data that is nearly a decade old, resulting in potential missed opportunities to increase building efficiency.''

ASHRAE,
Atlanta, GA, May 5, 2011.

Rep. RODNEY P. FRELINGHUYSEN,
Subcommittee Chairman, House Appropriations Subcommittee on Energy and Water Development.

Rep. PETER J. ''PETE'' VISCLOSKY,
Subcommittee Ranking Democrat, House Appropriations Subcommittee on Energy and Water Development.

Re Fiscal Year 2012 Funding for the U.S. Energy Information Administration's Commercial Building Energy Consumption Survey.

DEAR CHAIRMAN FRELINGHUYSEN AND RANKING DEMOCRAT VISCLOSKY: the American Society of Heating, Refrigerating and Air-Conditioning Engineers Inc. (ASHRAE), founded in 1894, is an international organization of over 52,000 members. ASHRAE fulfills its mission of advancing heating, ventilation, air conditioning and refrigeration to serve humanity and promote a sustainable world through research, standards writing, publishing and continuing education.

Recently ASHRAE learned that, due to needed funding reductions for fiscal year 2011, work on the 2011 edition of the U.S. Energy Information Administration's Commercial Buildings Energy Consumption Survey (CBECS) has been halted.

ASHRAE strongly urges you to include funding for CBECS in the FY 2012 appropriations bills to allow work on the 2011 edition of the Survey to continue. This is especially important, because the most recent (2007) CBECS data are flawed and unusable. Currently, the latest version of CBECS data is from 2003. If funding is not provided, work on the 2011 CBECS data will likely not continue, and the government and industry will be forced to rely on data that is nearly a decade old, resulting in potential missed opportunities to increase building efficiency.

The Commercial Buildings Energy Consumption Survey is a national sample survey that collects information on the stock of U.S. commercial buildings, their energy-related building characteristics, and their energy consumption and expenditures. Commercial buildings include all buildings in which at least half of the floorspace is used for a purpose that is not residential, industrial, or agricultural, so they include building types that might not traditionally be considered ''commercial,'' such as schools, correctional institutions, and buildings used for religious worship.

Buildings consume 40 percent of energy in the United States. Increasing the efficiency of buildings can decrease the need for additional energy production, while expanding current capacity; positively impacting U.S. economic and national security.

Information from CBECS plays a critical role in building energy efficiency through the many federal and private sector programs that use the Survey's data in their efforts to establish benchmark levels and promote energy efficient practices. These programs include: The ENERGY STAR Buildings program; Leadership in Energy and Environmental Design (LEED) for Existing Buildings; Green Globes®; ASHRAE's Building Energy Quotient (BEQ) building energy labeling program; and many others.

For all of the reasons above, we respectfully request that you continue funding for CBECS in fiscal year 2012 and future years. Suspension of work on the 2011 Survey was done to help alleviate our nation's deficit and debt issues, but has serious adverse consequences for national building energy efficiency efforts. We look forward to working with you to remedy this matter for the benefit of all. Please feel free to contact Mark Ames, ASHRAE Manager of Government Affairs.

Personal regards,
LYNN G. BELLENGER,
ASHRAE President 2010–2011.

We are writing as representatives of the commercial real estate industry and other energy efficiency stakeholders to urge that the 2011 edition of the U.S. Energy Information Administration's Commercial Buildings Energy Consumption Survey (CBECS) be funded at $4 million for fiscal year 2012 (FY12) so that the on-going collection of energy data for the commercial buildings sector can be resumed.

CBECS provides critically important information to support programs that promote energy efficiency in our nation's commercial building stock. It is a national sample survey that collects data on energy-related building characteristics such as electricity consumption and expenditures. Information from CBECS is the basis for many federal and private sector energy efficiency and sustainability programs, including the ENERGY STAR Buildings program, Leadership in Energy and Environmental Design (LEED) for Existing Buildings, and other building energy labeling platforms.

For the real estate sector, these programs are the primary benchmarking and information mechanism for energy efficiency and sustainability. Business owners use them to compare their buildings and make capital expenditure decisions, while office tenants use ENERGY STAR and other programs to assess the energy efficiency of buildings where they lease space. In addition, there is growing pressure on the CBECS data set as major U.S. cities have started to require ENERGY STAR ratings (which are based on CBECS data) for government-owned and large private sector buildings. Lack of robust CBECS data will make the real estate sector's compliance with state and local laws increasingly difficult.

The market is currently using CBECS data from 2003, which is the most recent dataset the Energy Information Administration (EIA) has published. We understand that problems from the 2007 CBECS data collection effort, which caused it to be discarded, are being corrected by the EIA as it prepares to undertake survey work this year. If funding is not provided, work on the 2011 CBECS process will be suspended. This will force companies, consumers, and government stakeholders to rely on data that is nearly a decade old and does not reflect the significant strides that have been made in building technologies, operations, and efficiencies that have occurred in this rapidly evolving arena since the release of the 2003 data set. Opportunities to increase building efficiency and upgrade our building stock will be missed in the absence of more current and reliable CBECS data. Further delay in collecting and publishing new data will diminish the efficacy and reliability of energy benchmarking systems that depend on CBECS.

Increasing the efficiency of buildings can decrease the need for additional energy production, while expanding current capacity, positively impacting the U.S. economy and national security. We respectfully request that you continue funding for CBECS at $4 million in FY12 and future years. This is a small investment on a critically important piece of data infrastructure that will leverage significant impacts.

Sincerely,

Ankrom Moisan Architects; Beck Architecture LLC; Biositu, LLC; Building Owners and Managers Association International (BOMA); Brandywine; Campbell Coyle Holdings, LLC; Cannon Design; The City of New York; Cook+Fox Architects; e4, inc.; Earth Day New York; Energy Future Coalition; GGLO; Green Realty Trust, Inc; Grubb & Ellis; HOK; Insight Real Estate, LLC; Institute for Market Transformation; International Council of Shopping Centers; Jones Lang LaSalle; Johnson Controls, Inc.; Joseph Freed and Associates; Kirksey Architecture.

KMD Architects; Lake Flato Architects; Lord, Aeck & Sargent Architecture; Mahlum; MEI Hotels Incorporated; National Association of Home Builders (NAHB); Natural Resources Defense Council (NRDC); National Roofing Contractors Association (NRCA); Polyisocyanurate Insulation Manufacturers Association; Real Estate Board of New York (REBNY); Related; SERA Architects; Servidyne; Simon Property Group; SmithGroup; Terrapin Bright Green; The Durst Organization; The Real Estate Roundtable (RER); Tishman Speyer; Transwestern; U.S. Green Building Council (USGBC); Vornado Realty Trust; Wight & Company.

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

AMENDMENT NO. 25 OFFERED BY MR. MCKINLEY

Mr. MCKINLEY. 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 24, line 18, after the dollar amount, insert ''(increased by $39,000,000)''.

Page 28, line 13, after the dollar amount, insert ''(reduced by $39,000,000)''.

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

Mr. MCKINLEY. Mr. Chairman, I would like to commend Chairman FRELINGHUYSEN and the committee for their efforts in developing legislation that is intended to streamline processes and increase efficiency within the Department of Energy. Throughout this legislation, we can see intelligent savings that will result in less spending and more efficient use of tax dollars.

However, I'm concerned that this legislation as written and reported will have the unintended consequence of destroying the National Energy Technology Laboratory's ability to manage approximately $19 billion in contracts and conduct the necessary research and

development to advance safe natural gas drilling, clean coal technologies and energy independence.

□ 1910

I shared my concerns with Chairman FRELINGHUYSEN and Ranking Member VISCLOSKY in a bipartisan letter signed by my colleagues MIKE DOYLE, TIM MURPHY, and MARK CRITZ.

America depends on fossil resources for 85 percent of our energy requirements, and will continue to do so for the foreseeable future. Coal is mined in 26 States in our country and used to generate electricity in 48 of the 50 States. However, without NETL's research into clean coal technology, hundreds of thousands of jobs across America are in jeopardy.

The fossil fuel R&D program that is being cut in this bill is unique among the DOE programs because the program direction account includes funding for the operations, maintenance, and administration of the National Energy Technology Lab, along with salaries and benefits for all of the Federal researchers who work there. NETL is the only government owned, government operated national laboratory. OMB requires that all Federal costs be included in the program direction account.

This amendment would restore the funding cut within Fossil Energy Research and Development to program direction in an effort to recognize the outstanding work being done by NETL and the unique manner in which the laboratory is funded and maintained.

Mr. Chairman, these projects are in every State and almost every congressional district in the country. Virtually every one of my colleagues has a vested interest in this laboratory being funded sufficiently and effectively so we can complete these projects.

I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

Your amendment would shift an additional $39 million within Fossil Energy Research and Development to program direction. I recognize the important role that the Fossil Energy Research and Development program plays in securing our energy future, especially when 70 percent of our energy comes from fossil sources. And I certainly recognize your strong advocacy as a gentleman from West Virginia, and the important role in fossil fuel that your State plays, providing such for the Nation.

I also recognize the critical role scientists and their research at our national laboratories—including the one in your State, NETL—play in keeping our Nation in the lead in fossil energy technologies.

Our bill demonstrates this support by funding Fossil Energy Research and Development at $32 billion above the fiscal year 2011 level. The bill also, however, increases the transparency of these programs by moving research and development out of program direction and into research programs. With that change included in the bill, the Department of Energy still has the authority to fund laboratory personnel doing valuable work at the national labs. However, recognizing my colleague's concerns, we would be happy to work with the gentleman as we move toward conference to ensure that salaries and expenses for ongoing activities are fully funded while increasing the transparency of ongoing research.

Mr. MCKINLEY. Mr. Chairman, I appreciate the chairman's remarks, and I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

NAVAL PETROLEUM AND OIL SHALE RESERVES

For expenses necessary to carry out naval petroleum and oil shale reserve activities, $14,909,000, to remain available until expended: *Provided*, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), $192,704,000, to remain available until expended.

SPR PETROLEUM ACCOUNT

Notwithstanding sections 161 and 167 of the Energy Policy and Conservation Act (42 U.S.C. 6241, 6247), the Secretary of Energy shall sell $500,000,000 in petroleum products from the Reserve not later than March 1, 2012, and shall deposit any proceeds from such sales in the General Fund of the Treasury: *Provided*, That during fiscal year 2012 and hereafter, the quantity of petroleum products sold from the Reserve under the authority of this Act may only be replaced using the authority provided in paragraph (a)(1) or (3) of section 160 of the Energy Policy and Conservation Act (42 U.S.C. 6240(a)(1) or (3)): *Provided further*, That unobligated balances in this account shall be available to cover the costs of any sale under this Act.

NORTHEAST HOME HEATING OIL RESERVE

(INCLUDING RESCISSION OF FUNDS)

For necessary expenses for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act, $10,119,000, to remain available until expended: *Provided*, That amounts net of the purchase of 1 million barrels of petroleum distillates in fiscal year 2011; costs related to transportation, delivery, and storage; and sales of petroleum distillate from the Reserve under section 182 of the Energy Policy and Conservation Act (42 U.S.C. 6250a) are hereby permanently rescinded: *Provided further*, That notwithstanding section 181 of the Energy Policy and Conservation Act (42 U.S.C. 6250), for fiscal year 2012 and hereafter, the Reserve shall contain no more than 1 million barrels of petroleum distillate.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $105,000,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $213,121,000, to remain available until expended.

AMENDMENT OFFERED BY MR. MATHESON

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 27, line 10, after the dollar amount, insert ''(increased by $10,000,000)''.

Page 33, line 20, after the dollar amount, insert ''(reduced by $10,000,000)''.

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

Mr. MATHESON. Mr. Chairman, in the report language from the committee report for this bill, the Appropriations Committee included some language talking about concern about the lack of remediation activity taking place around the country at various Department-sponsored facilities and small sites under the responsibility of the Department, and this is in terms of environmental cleanup for non-defense sites.

I share that concern, and the committee report language talks about having the Department not later than November 15, 2011, give a detailed plan on remediating these small sites.

Here is the issue. When you have some smaller sites that need to be cleaned up, you have your management infrastructure in place. We are spending money each year to maintain the management structure, but if you don't spend the money to actually do the cleanup, you just extend the life cycle of this project out year after year after year. I think if we focus on these projects and get them done by investing the funds to clean them up quickly, it is actually from a life-cycle basis better off for taxpayers.

Now, this is a tough bill to find a pay-for because overall—and I applaud the fact that we looked at reducing spending in this bill—but my suggestion is a modest increase in the non-defense environmental cleanup account of $10 million, which will bring the funding level to what it was in the last fiscal year. That is paid for by reducing by $10 million the National Nuclear Security Administration's weapons activity account, which had been plussed up $185 million in this bill.

There are a few of these sites around the country. They are smaller. There are some sites that are larger. I am not directing where this money goes. I am just trying to put money into the non-defense environmental cleanup account, hoping that since the committee indicated in its report language that it

wants the smaller sites to move on a faster basis, that this funding could help assist in that effort. In my opinion, this is in the taxpayers' interest to do this.

Now, there are sites around the country. There happens to be one in my congressional district. It is in Moab, Utah. It is a facility where the Department of Energy has been cleaning up a radioactive tailings pile that is on the banks of the Colorado River. It is a pile where the environmental impact statement indicated that in the long term, it is a near certainty that this tailings pile would be flooded and flushed down the river. There are about 25 million users of this water downstream. There has been ongoing bipartisan agreement in the House of Representatives for years about the cleanup of this site.

And this is just one, and I think there are others that also are mandatory as well. Again, my amendment cannot direct it to one particular site, but I am suggesting that increasing funding by $10 million to bring the nondefense environmental cleanup account up to last year's level is a good thing to do. That's the purpose of the amendment.

I yield back the balance of my time.

□ 1920

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

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

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentleman from Utah's amendment, but I salute his advocacy and passion for his purpose for being here this evening.

This amendment seeks to funnel off defense funding that is needed for the modernization of our nuclear infrastructure. With a nearly $500 million reduction to the request for weapons activities, this bill already takes opportunities to find savings with the account. Right now this bill provides for our defense requirements and is well balanced. Further reductions would unacceptably impact the ability to meet the goals of modernization and to support the nuclear security strategy set forth in the 2010 Nuclear Posture Review.

This bill takes a consistent approach to funding for environmental cleanup, providing a slightly lower but sustainable and stable funding stream to continue work at all the cleanup sites.

It is not responsible to increase this account above what was requested for these activities, particularly at the expense of an important national defense program.

I urge my colleagues to make defense a priority and to vote ''no'' on this amendment.

I yield back the balance of my time.

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

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

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

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

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. I want to ask my friend from New Jersey to engage in a colloquy. The purpose of it is to talk about the nuclear prototype.

As you know, and as the ranking member knows and the full committee ranking member, Mr. DICKS, knows, the Ohio class nuclear submarine is a critical component of our country's national security and is one-third of our nuclear deterrence, along with bombers and nuclear missiles.

These critical systems are aging and are close to the end of their lifecycle. As part of the Ohio replacement, or SSBN(X) program, we are looking at expanding the nuclear core so that the future nuclear ballistic submarines can have a core life expectancy of 40 years, over 20 years.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I thank the gentleman from Georgia for engaging this opportunity to call attention to the strong support this bill provides for the Office of Naval Reactors, which I am proud to say reflects bipartisan priorities.

Mr. KINGSTON. I thank the gentleman.

And I want to point out that the Ohio replacement nuclear reactor development program was identified specifically by line item within the Naval Reactor Section and allocated a full $121.3 million specifically for the SSBN(X) reactor program. This was done to ensure that the program be fully funded to the requirement amount without delay for FY 2012.

I want to just get assurance of the support of the committee for this program, and I yield to the gentleman regarding the committee's position on it.

Mr. FRELINGHUYSEN. I would like to join with my friends in support of this program. In doing so, we will be providing 100 percent clarification to this body and all agencies. The SSBN(X) development programs within Naval Reactors and the Department of Energy, along with associated programs directly related to the Ohio replacement program, are indeed fully funded to their requirement within this legislation.

These funds have been allocated for a specified purpose: the development of a nuclear reactor prototype and all associated programs.

Mr. KINGSTON. Reclaiming my time, I thank the chairman for that.

Just to be abundantly sure, in order to ensure that there's no confusion within the Department of Energy and Naval Reactors, is it true that the prototype development for this new and complicated reactor system is fully funded to the required request?

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. KINGSTON. I yield to the chairman.

Mr. FRELINGHUYSEN. Yes. The level for Naval Reactors includes $121.3 million to develop a new reactor design for the Ohio replacement and $99.5 million to refuel a prototype reactor in upstate New York that is associated with the development of the Ohio replacement.

Mr. KINGSTON. I thank the gentleman.

Then I am hearing that the subcommittee has fulfilled the body's intent to ensure all funding lines related to the SSBN(X) Ohio replacement nuclear program are allocated to the required amount.

I thank the gentleman for his support and for Mr. CULBERSON's support and Mr. DICKS' support.

Mr. FRELINGHUYSEN. And Mr. VISCLOSKY's as well.

Mr. KINGSTON. And Mr. VISCLOSKY's support as well.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. REED

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 27, line 10, after the dollar amount, insert ''(increased by $41,000,000)''.

Page 32, line 4, after the dollar amount, insert ''(reduced by $21,000,000)''

Page 35, line 15, after the second dollar amount, insert ''(reduced by $20,000,000)''.

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

Mr. REED. Mr. Chairman, I rise today in support of an amendment that I asked my colleagues on both sides of the aisle to support, and Mr. HIGGINS from the other side of the aisle has joined me on this amendment.

With all due respect to the subcommittee chairman of the Appropriations Committee, I believe this amendment is wise, that it is an appropriate amendment. And that is because what we are talking about here with my proposed amendment is taking $41 million in funding to Non-Defense Environmental Cleanup—to take that money from multiple administrative accounts and utilize the money for in-the-field cleanup activity for sites such as that which exist in my district known as the West Valley Nuclear Demonstration Project in western New York.

My hope is that by doing this amendment, we will stop money from being funneled more into the DC bureaucracy but rather be funneled and put out into the field and into the nuclear waste sites so that the sites can be remediated once and for all.

The Department of Energy estimates that by making the investment now in

nuclear site remediation, we will save our Nation hundreds of millions of dollars in the coming decades. If properly funded, the Department of Energy can complete phase one of the West Valley project in my congressional district by 2020. This alone is estimated to save taxpayers $120 million.

For all of these reasons, I would ask both sides of the aisle to join us in our amendment and support this amendment allocating administrative dollars that are targeted to go to enhance bureaucracy in Washington, DC, and have those dollars deployed into our districts that qualify for nuclear waste cleanup remediation projects under this line, so that those nuclear waste sites are cleaned up once and for all, and we can actually get a bigger bang for the buck in these nuclear waste sites that need to be cleaned up.

I ask that both parties on both sides of the aisle support our amendment.

I yield back the balance of my time.

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

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

Mr. HIGGINS. I thank my colleague and friend Mr. REED.

Mr. Chairman, I rise in strong support of this amendment, which would provide an adequate level of funding for the Non-Defense Environmental Cleanup program.

The Non-Defense Environmental Cleanup program addresses the environmental legacy of former civilian and non-defense nuclear programs at sites across the country. The large quantity of hazardous and radioactive waste generated at these sites and the contamination that remains is one of our Nation's largest environmental liabilities.

The Department of Energy has an obligation to clean up this nuclear waste and protect local communities against risk to human health, safety, and the environment. And Congress has an obligation to fund the program at a sufficient level to clean up these sites thoroughly and expeditiously. However, quite simply, the amount of money appropriated in this bill is insufficient to do so.

Mr. Chairman, continuing to underfund the cleanup of these nuclear sites will delay and extend project schedules, cause commitments to State governments and local communities to be missed, and increase the overall costs in the long run.

In my community of western New York, the West Valley site was established in the 1960s in response to a Federal call for efforts to commercialize the reprocessing of spent nuclear fuel from power reactors. The site ceased operations in 1972, and 600,000 gallons of high-level radioactive waste was left behind, posing a significant and enduring hazard.

The land is highly erodible and contains streams that drain into Lake Erie. We have already seen a leak on the site level into a migrating plume of radioactive groundwater. The consequences would be environmentally and economically dire if this radioactive waste makes its way into the Great Lakes, the largest source of freshwater in the world with 20 percent of all the freshwater supply on Earth.

□ 1930

For the past four decades, the progress in cleaning up the waste at West Valley has been stymied by perennial funding shortfalls. The insufficient funding in this bill will extend the first phase of the cleanup from 10 to 14 years. With maintenance costs at $30 million a year, an additional 4 years means $120 million in Federal funding will be wasted, which could be avoided if we properly fund this cleanup.

Mr. Chairman, we cannot jeopardize the irreplaceable natural resources of the Great Lakes or of the communities and resources near the other nuclear sites across the country by continuing to underfund this important cleanup program. Congress needs to maintain its commitment to clean up these sites, and it needs to take proper steps to ensure that our communities and our environment remain safe for future generations.

I am proud to work with my friend and colleague Mr. REED on this important issue, and I urge support for this bipartisan amendment.

I yield back the balance of my time.

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

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

Mr. FRELINGHUYSEN. I rise in opposition to the amendment, but I would like to recognize the strong advocacy of the two gentlemen from New York who just spoke—the gentleman from Buffalo as well as the gentleman from Corning.

Our bill provides $213 million for non-defense environmental cleanup, only $6 million below the request, to provide for the environmental cleanup of a number of small sites, including the West Valley Demonstration Project in New York, Brookhaven and the gaseous diffusion plant sites.

The total funding requirements of this account have come down as cleanup milestones have been accelerated ahead of schedule because of a large infusion of funding from the Recovery Act. This amendment goes beyond the base funding needs and attempts to sustain the higher rate of cleanup under the Recovery Act. Understandably, they'd like to continue that. We know that the levels of spending in the Recovery Act cannot be sustained. We must transition these sites to a lower, stable and more sustainable level as the Recovery Act work is completed and those dollars are less. Further, this amendment seeks to decrease funding for our national security activities.

This bill provides strong support for the nuclear security activities at the NNSA. It will take a skilled and talented workforce to successfully carry out these challenging and absolutely vital activities. Last year's lower level for the Office of Administration assumed that NNSA would use $20 million in existing prior year balances to help pay its personnel costs for the year. These balances are now used up, and funding must return to the base level requirements of $420 million. This cut would result in layoffs, which would make it jeopardize NNSA's ability to carry out its nuclear security responsibilities.

I urge my colleagues to join me and vote ''no'' on this amendment.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I appreciate the chairman's yielding, and would join in his opposition to the amendment, reluctantly, as the chairman indicated.

I certainly do understand the concern of the two gentlemen who have offered the amendment, the concern regarding cleanup in the State of New York and elsewhere; and do share their concerns that we are not adequately investing and cleaning up contaminated communities where we do as the Federal Government have an obligation.

I also do point out that, given the constraints faced by the subcommittee, I believe that the chairman has made wise choices, the best that he could, relative to the spreading of resources; and join in his opposition to the amendment. Obviously, we would like to continue to work together to see that adequate funding at some point is provided for these and other programs.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

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

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

Mr. REED. 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. HASTINGS of Washington. I move to strike the last word.

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

Mr. HASTINGS of Washington. Mr. Chairman, I would like to enter into a colloquy with the distinguished chairman of the subcommittee.

Mr. Chairman, the Office of River Protection was created to put a focus on the 53 million gallons of wastes in the 177 underground tanks at Hanford in my district in Washington. These wastes are being retrieved from the tanks and are being prepared for the waste treatment plant where they will be vitrified and ultimately sent to Yucca Mountain.

For years, DOE was clear that a steady, stable annual funding level of

$690 million would allow for the successful completion and hot start of WTP. The department has, however, changed its mind and would prefer to front load funding. I have been clear that, even without increasing the total project cost, spending in excess of $690 million a year at the waste treatment plant now will have impacts on the funds available for other projects, including the work at the tank farms.

The waste treatment plant is dependent on two critical elements aside from its own budget: first, a robust program at the tank farms to get the waste ready to feed WTP on time and, second, Yucca Mountain.

I appreciate the provisions in this bill to help halt the administration's illegal shutdown of Yucca Mountain, and I ask that you work with me to ensure the correct balance of funding is provided when it comes to the waste treatment plant and the tank farms within the Office of River Protection.

Mr. FRELINGHUYSEN. First of all, it has been a pleasure to work with you and to have the opportunity firsthand to see some of the remarkable things that have been occurring in your congressional district in Washington State in terms of cleanup and the enormity of these problems that you're trying to address.

Overall, we've seen some considerably poor planning for the Department of Energy's cleanup activities, including the very politically motivated termination of the Yucca Mountain project.

My colleague understands his constituents well and how these issues impact the overall plan to clean up Hanford's tank waste, which is considerable. I support and salute his leadership. As we move into conference, I will work with you. I promise to do that to achieve the appropriate balance between the waste treatment plant and the tank farms so that these projects are properly coordinated.

Mr. HASTINGS of Washington. In reclaiming my time, I thank the chairman, and I appreciate his visiting Hanford.

I appreciate the distinguished ranking member of the subcommittee for visiting Hanford; and of course, I appreciate the ranking member of the full committee, who had had a great deal of interest on this issue prior to my even coming to Congress.

I appreciate the work that the committee has done in the past, because this is a project that has legal requirements. In these difficult times, I am very pleased with the work that you have done.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, and title X, subtitle A, of the Energy Policy Act of 1992, $449,000,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, and not more than $150,000,000, to be derived from the barter, transfer, or sale of uranium authorized under section 3112 of the USEC Privatization Act (42 U.S.C. 2297h–10) or section 314 of the Energy and Water Development Appropriations Act, 2006 (Public Law 109–103), to remain available until expended: *Provided*, That proceeds from such barter, transfer, or sale of uranium in excess of such amount shall not be available until appropriated.

SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 49 passenger motor vehicles for replacement only, including one ambulance and one bus, $4,800,000,000, to remain available until expended.

AMENDMENT NO. 65 OFFERED BY MR. HOLT

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

The Acting CHAIR (Mr. LUETKEMEYER). The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 28, line 13, after the dollar amount, insert ''(increased by $42,665,000)''.

Page 33, line 20, after the dollar amount, insert ''(reduced by $42,665,000)''.

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

Mr. HOLT. Mr. Chairman, this bill H.R. 2354 reduces the Department of Energy's Office of Science from about $43 million below this year's level. My amendment would restore that funding so that the Office of Science can sustain its current operations.

I know the subcommittee chair, my friend from New Jersey, and the ranking Democrat, my friend from Indiana, understand very well the importance of this office of the Department of Energy, and I know they've worked hard to fit their bill into the budget constraints; but I must ask them to join me in taking another look at this office.

Scientific research lies at the very heart of the national innovation system that keeps us competitive, that enhances our quality of life, that fuels our economy, and that improves our national security. The Office of Science is the Nation's primary sponsor of research in the physical sciences. Its funding helps maintain America's first-rate workforce of research scientists and engineers, who are working daily to address some of the greatest challenges and to push the boundaries of existing knowledge.

Thousands of graduate students and early career scientists at hundreds of U.S. institutions, the next generation of America's scientific talent, depend on the support of the Office of Science for their research and training. In addition, the office maintains excellent, unique user facilities that are relied on by more than 25,000 scientists from industry, academia and national laboratories to advance important research that creates jobs today and that could lead to entire industries tomorrow.

The success of the Office of Science clearly shows the quality and the importance of the work supported there: MRI machines, PET scanners, new composite materials for military hardware and civilian motor vehicles, the use of medical and industrial isotopes, biofuel technologies, DNA sequencing technologies, battery technology for electric vehicles, artificial retinas, safer nuclear reactor designs, three-dimensional models of pathogens for vaccine development, tools to manufacture nano materials, better sensors—on and on.

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The Office of Science has been the source of hundreds and hundreds of innovative technologies. Some have become the underpinnings of modern scientific disciplines and have revolutionized medicine and energy and military technology.

The America COMPETES Act—passed in a very bipartisan vote here in Congress in 2007 and signed into law by President George Bush—recognized that we have underfunded our basic research agencies for far too long, and it laid out a vision for doubling the funding at our research agencies, including the Office of Science. This law was reauthorized last year. The bill we are considering today woefully underfunds the office by this national goal.

Matching last year's funding level with an additional $42.7 million, as my amendment would do, is the least we can do. Many dozens of organizations, universities, and companies have joined to advocate strongly for maintaining the current level of work for the Office of Science. My amendment is fully offset by transferring funding from the nuclear weapons account, which receives an additional $195 million in the underlying bill before us today.

So let's get our priorities straight. Investments in our Federal science agencies and our national innovation infrastructure are not Big Government spending programs that we cannot afford; they are the minimum downpayments for our Nation's national security, public health, and economic vitality. All this talk down the street now about how we're going to grow, this is it. We cannot afford to postpone this research.

I urge my colleagues to vote for this amendment.

I yield back the balance of my time.

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

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

Mr. FRELINGHUYSEN. I want to salute my colleague from New Jersey (Mr. HOLT) for not only his career in science but, obviously, his focus as a Member of Congress on science and science research and so many areas.

In order to increase funding for science research, his amendment decreases funding for weapons activities. Our Nation's defense relies on a reliable and effective nuclear deterrent, and these capabilities cannot be allowed to deteriorate.

There is now a strong bipartisan consensus for the modernization of our nuclear stockpile. It is a critical national security priority and must be funded. With a reduction of nearly $500 million from the request, this bill has already made use of all available savings. Additional reductions would unacceptably impact our ability to support our Nation's nuclear security strategy.

Further, the amendment would use these reductions to increase funding for science research. I am a strong supporter of the science program, he knows that. It leads to the breakthroughs in innovations that will make our Nation's energy sector self-sufficient and keep America competitive as a world leader of cutting-edge science. This is why we worked so hard, the ranking and I, to sustain funding for this program. But within the realities of today's fiscal constraints, which we all know, we cannot simply afford to add more funding to science research, especially when it means risking crucial national defense activities.

I strongly urge my colleagues to vote ''no'' on this amendment.

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 rise to speak in favor of the Holt-Bishop amendment to support funding for the Department of Energy Office of Science. This is a vital investment in the Nation's future.

We have tough decisions to make about where to make cuts. And certainly there is a lot of opportunity to cut things that aren't effective that we can't afford to continue with, but we don't want to cut things that are integral to our future. And an investment in science, in research and technology, that is the future of this country.

We're not going to compete with the rest of the world on wages. We're not going to compete with the Third World on wages. We have to compete in the area of productivity. And we can't be the most productive nation on Earth unless we invest in science and technology.

I have a letter here from the Energy Sciences Coalition in support of Mr. HOLT and Mr. BISHOP's efforts that talk about the need for scientific research, world-class user facilities, teams of skilled scientists and engineers that are funded by the Department of Energy Office of Science at universities and national labs around the country. Economic experts have asserted as much, crediting past investments in science and technology for up to half the growth in GDP in the 50 years following the end of World War II. At this time when we're being challenged by other nations for our leadership in science and technology, this is not the right time to disinvest from this vital research.

The amendment by Mr. HOLT and Mr. BISHOP is supported by countless associations of physics and chemistry, countless universities and institutions of higher learning—my own University of California campuses at Berkeley, Davis, Irvine, Merced, Riverside, San Diego, San Francisco, Santa Barbara, and Santa Cruz, but also around the country, from the University of Chicago to U.S.C. to the University of Tennessee and the University of Virginia, all over the Nation, not to mention Princeton University. And why? Because these institutions of higher learning have been leading the way in path-breaking developments that have just boosted our economy and our understanding of energy and the world around us.

So this is a vital investment in the future, and I urge support for my colleagues' amendment.

ENERGY SCIENCES COALITION,
TASK FORCE ON AMERICAN INNOVATION,
May 6, 2011.

HOUSE OF REPRESENTATIVES,
Washington, DC.

TO MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: As members of the Energy Sciences Coalition and the Task Force on American Innovation, we write today to urge you to make robust and sustained funding for the Department of Energy (DOE) Office of Science a priority in the Fiscal Year 2012 Energy and Water Development Appropriations Act.

We recognize the difficult challenges and choices you face as you work to reduce the federal budget deficit, get the economy growing again, and create jobs for the American people. However, to achieve these goals, Congress must make strategic decisions and set priorities when it comes to federal funding.

We believe that the scientific research, unique world-class user facilities, and teams of skilled scientists and engineers funded by the Department of Energy Office of Science at universities and national laboratories are critical to long-term economic growth and job creation. Economic experts have asserted as much, crediting past investments in science and technology for up to half the growth in the Gross Domestic Product (GDP) in the 50 years following the end of World War II. Yet today, other nations such as China, India, and Europe are increasingly investing in their scientific infrastructure and are challenging U.S. leadership in areas such as supercomputing and energy research with the goal of capitalizing on the many technological advances and economic benefits that result from scientific research.

That is why we urge you to support the request of Representative Judy Biggert (R–IL) and Representative Rush Holt (D–NJ) to the House Energy and Water Development Appropriations Subcommittee to make strong and sustained funding for the DOE Office of Science a priority in fiscal year 2012. They articulate how important the DOE Office of Science is to American industry and universities, how it is unique from and complementary to the research efforts of other federal research agencies, how it serves to educate the next generation of scientists and engineers, and how research funded by the DOE Office of Science has made our nation more secure, healthy, competitive, and prosperous.

In light of current budget constraints, and with an eye toward creating jobs and strengthening the economy, we urge you to sign the Biggert-Holt letter and support making funding for the DOE Office of Science a priority in fiscal year 2012.

Sincerely,

Alliance for Science & Technology Research in America (ASTRA); American Association for the Advancement of Science; American Chemical Society; American Institute of Physics; American Mathematical Society; American Physical Society; American Society of Agronomy; American Society for Engineering Education; American Society of Plant Biologists; Americans for Energy Leadership; Arizona State University; ASME; Association of American Universities; Association of Public and Land-grant Universities; Battelle; Binghamton University, State University of New York; Biophysical Society; Business Roundtable; California Institute of Technology; Cornell University.

Council of Energy Research and Education Leaders; Council of Graduate Schools; Cray Inc.; Crop Science Society of America; Federation of American Societies for Experimental Biology (FASEB); Florida State University; General Atomics Corporation; Geological Society of America; Harvard University; Iowa State University; Jefferson Science Associates, LLC; Krell Institute; Massachusetts Institute of Technology; Materials Research Society; Michigan State University; NC State University; Oak Ridge Associated Universities; Ohio State University; Princeton University; Semiconductor Equipment and Materials International.

Semiconductor Research Corporation; Society for Industrial and Applied Mathematics (SIAM); Semiconductor Industry Association; Soil Science Society of America; South Dakota School of Mines and Technology; Southeastern Universities Research Association; SPIE, the International Society for Optics and Photonics; Stanford University; Stony Brook University, State University of New York; Tech-X; University at Buffalo; University of California System; University of California Berkeley; University of California Davis; University of California Irvine; UCLA.

University of California Merced; University of California Riverside; University of California San Diego; University of California San Francisco; University of California Santa Barbara; University of California Santa Cruz; University of Central Florida; University of Chicago; University of Cincinnati; University of Pittsburgh; University of Southern California; University of Tennessee; University of Texas at Austin; University of Virginia; University of Wisconsin-Madison; Vanderbilt University; Washington University in St. Louis.

I yield back the balance of my time.

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

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

Mr. VISCLOSKY. I rise in support of the gentlemen's amendment.

While I have stated many times in committee as well as on floor debate that I applaud the chairman's bringing funding into the science account almost to where we were in fiscal year 2011 and have described it as a not insignificant achievement, adding these $43 million to bring it into parity with current year spending is not asking too much and, as the previous speakers have indicated, is very important to making an economic investment in knowledge and jobs that we so desperately need in the United States.

In the committee report we indicate that, relative to the Office of Science, understanding that harnessing a scientific and technological ingenuity has long been at the core of the Nation's prosperity. We talk about that national prosperity linkage to scientific research and curiosity. I also, relative to the concerns the chairman expressed about the weapons account, think that that important priority will not be adversely impacted by the shift of funding called for in the amendment.

I rise in strong support of the amendment.

I yield back the balance of my time.

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

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

Mr. BISHOP of New York. The Holt-Bishop amendment would increase the Office of Science budget by $42.7 million, reducing the National Nuclear Security Administration's weapons activities program by the same amount, putting the Office of Science in line with the FY 2011-enacted levels, protecting jobs and supporting American innovation through scientific discovery.

The Office of Science is crucial to scientific innovation, which is a key component of American job creation and a cornerstone of our Nation's long-term strategy for economic growth.

How many times have we heard Members of Congress from both sides of the aisle come to this floor and espouse the benefits of innovation on job creation? How many times have we heard from both the current President and past Presidents talk about moving our Nation forward into the 21st century where technology and scientific advancement will fortify our Nation's economic growth?

The Office of Science within the Department of Energy, including our national laboratories, is one of the most powerful tools the Federal Government has at its disposal to promote scientific innovation, to support private industry advancements, to foster medical breakthroughs, and to gain a better understanding of the world around us.

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I am proud to represent Brookhaven National Laboratory, a Department of Energy lab and one of the largest employers in my district. BNL is also ground zero for many of the scientific discoveries and innovations that have expanded our understanding of physics and nature, many of which have a direct link to developing new materials for industry, more effective drugs, and better fuels, the intellectual capital that private industry thrives upon.

Mr. Chairman, earlier this year, the Republican policies embodied within H.R. 1 would have slashed $1.1 billion from the Office of Science, choking off Federal investment in basic research that is key to our Nation's long-term competitiveness. These draconian cuts would have impacted each DOE national lab with a 30 percent cut to every science facility and program from the FY 2011 request level. The number of jobs that would have been eliminated as a result of H.R. 1 is estimated to be close to 10,000 in the Office of Science. How can any reasonable person argue that laying off thousands of the most highly trained, highly skilled scientists the world has to offer moves this Nation forward?

The Holt-Bishop amendment would hold the Office of Science spending at FY 2011 levels. This is the minimum level of appropriation required for this Nation to remain at the cutting edge of scientific innovation, which is essential to our economic competitiveness which, in turn, is directly linked to what ought to be our number one priority in this Congress—job creation. I encourage my colleagues to support the Holt-Bishop amendment.

I will also be including in the RECORD a list of the 2010 Fortune 100 companies which delineates those companies relying upon Office of Science facilities to deliver their products.

I yield back the balance of my time.

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

The 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.

AMENDMENT NO. 68 OFFERED BY MR. ROYCE

Mr. ROYCE. 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 28, line 13, after the dollar amount insert ''(reduced by $10,000,000)''.

Page 62, line 2, after the dollar amount insert ''(increased by $10,000,000)''.

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

Mr. ROYCE. Mr. Chairman, this amendment would decrease the allocation of the Department of Science and the Department of Energy budget by $10 million. And let me give you an example of what $10 million is used for, by way of example, in this department. There's $10 million for appropriating money to methane hydrate research and development.

Now, Mr. Chairman, I was once a capital projects manager and I understand the impulse to invest in technologies that are going to have a payback, that are going to provide a return. But to do that, not only do you have to be able to figure out whether or not it's possible to get that payback, but it has to be a viable alternative when compared against other competing alternatives. And that's what I want to speak to here.

The government here in the U.S. has already spent $155 million on research and development commercialization for this technology, for methane hydrate, over the last 5 years. Taxpayers do not need to subsidize the gas hydrate industry to find equivalent alternatives to replace oil. We are at $100-a-barrel oil. There is already enough financial incentive in the commercial market to research methane hydrate if it, in fact, were a viable energy option. I just have to tell you, no one has tried to extract methane hydrates in a commercial way because it is not economical.

Think about this for a moment: It is only found in the Arctic. It is only found offshore. It's essentially methane gas compressed under high-pressure conditions at great depths. And basically the point here would be, you'd liquify it.

The reality is there are real hazards of developing gas hydrates. And because it's such an incredibly hazardous substance, I can't foresee gas drilling and production operations adopting this scenario, especially when you consider all of the other fossil fuels that would be utilized first before such a technology would ever be deployed. You've got oil shale. You've got oil sands, tar sands. You've got the existing conventional deposits of oil under capped wells.

Now, with every one of these challenges, a solution could be found much more economically in terms of extracting energy than you would ever find by producing energy from natural gas in this particular methodology. So the government has spent 10 years researching and developing ways to extract methane hydrates. We are still at a very primitive phase.

As I have shared with you, it is very hazardous if we were ever to deploy such a technology. There is a long list of alternatives which we certainly would go through first before we ever got to this. So it is time to eliminate the funding that can be appropriated toward methane hydrate research and development and use that more productively.

And let me make one other observation about this. We are in a situation now where we're borrowing 40 cents of every dollar we spend. When we identify an area of the budget where we can make these types of savings, we should

be cognizant of the fact that this type of borrowing, this sheer amount of borrowing has an impact not only on job creation, on economic growth, but also basically on the long-term solvency of the government.

If we're running up debt at these levels and we find areas in the budget to slice off these sums, we can bring down that deficit. The impact on the market is such that the market sees us ratcheting down expenditures to come back into compliance with economic reality. And as a consequence of that, we avoid some of the adverse impacts that come with the overborrowing—as I indicated, 40 cents on every dollar—the overborrowing that is creating the kind of uncertainty in this economy today in which employers are reluctant to go out and hire, in which the impacts are not just felt in the jobless rates that we just saw climb up here in the United States but are also filled in the way in which we are perceived internationally in terms of our capacity to deal with our debt.

Now is the time to make some commonsense decisions here, and here is $10 million that can be saved.

I yield back the balance of my time.

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

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

Mr. FRELINGHUYSEN. I rise to oppose the amendment of the gentleman from California, but I do recognize and agree with his view in terms of the economy but not the purpose for which he rises.

My colleague's amendment would eliminate methane hydrates research at the Department of Energy. This is a good example of a program that would not be otherwise funded by the private sector and has the potential to make a significant contribution to our Nation's energy needs.

Vast quantities of methane gas are stuck in frozen deposits deep at the bottom of the ocean and in the Arctic permafrost. Some of these deposits may evaporate over time and escape into the atmosphere. If we can understand how to use these resources rather than letting the methane float away into the air, we could tap a vast new natural gas resource and prevent large quantities of methane from entering the atmosphere.

The research for this is too risky for industry to do. The science is too difficult for there to be an economic return. That is a proper role of government, research the private sector cannot do that can substantially reduce our dependence on foreign imports while inventing new science and technology that puts America in the lead.

I, therefore, respectfully rise to oppose the amendment and urge other Members to do so as well.

I will be happy to yield to the gentleman from Indiana.

□ 2000

Mr. VISCLOSKY. I appreciate the chairman yielding, and would join him in his opposition to the amendment.

I would make a general observation. The gentleman's amendment would cut $10 million from the Office of Science. When you look at a $4 billion budget, your first impression might be it is of little consequence as far as the overall scientific research in this country. But I would point out that in fiscal year 2010 the account was for $4.904 billion. In fiscal year 2011 it was reduced to $4.842 billion. For, prospectively, 2012 it's reduced another 43. The gentleman's amendment would increase that reduction by almost 25 percent for the coming fiscal year. And I do think it is time to say ''no,'' and let us apply ourselves to serious scientific research.

I oppose the gentleman's amendment, and appreciate the chairman yielding.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

Mr. BROUN of Georgia. I move to strike the last word.

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

Mr. BROUN of Georgia. Mr. Chairman, when I was just listening to my colleague on the other side talking about this is a small amount of money, I just did a town hall meeting in Thomson, Georgia, just recently. A lady there got up and said to me, ''Dr. BROUN, a million dollars is a lot of money.'' And we here in Congress talk as if a million dollars, or even a billion dollars, is not a lot of money, and it is to the citizens of this country.

We cannot continue down this road of, as Mr. ROYCE was saying, of borrowing 40 cents on every dollar that the Federal Government spends. It's creating tremendous uncertainty out there in the economic world. And this debt is going to be crushing to us.

I believe we are in an economic emergency. So cutting $10 million for a project, though it might be interesting—I am a scientist, I am a physician, I have a science background—there are a lot of things that would be interesting to research and interesting things to do. But just like a business when it gets overextended, what's it do? It lowers its borrowing limit. Then it starts trying to work out that debt. Then it starts looking at every expense that it has, every corner of its expenses, and tries to cut expenses. Besides that, then they start looking at revenue.

Now, my Democratic colleagues and the President want to raise taxes to increase the revenue, but that actually is a tax that will drive away jobs. In fact, I have got a lot of businesses, small as well as large, in my district that tell me the tax burden today is so high that they are not hiring new people. And increasing taxes on small business is going to further drive away jobs from this country.

So cutting $10 million may not sound like a lot to Members of Congress, but I am going to support this amendment. I urge its adoption.

I yield to the gentleman from California.

Mr. ROYCE. Thank you, Mr. BROUN. I will only take a minute here to close.

You know, I am also for pure research in science. I am for scientific research where we can drive progress in the United States. But as I shared with you earlier, I am a former capital projects manager, and one of the things you learn is to identify those projects which have some ability conceptually to have a return on investment. All right? When you run into a project which is not only on the face of it uneconomical, but one which is hazardous, and on top of that you see a listing of all the ways in which you would extract energy at much less cost than you would ever get to this, and it would be the very last resort on the list, you would not keep that on your list of capital projects to entertain. And I can tell you this. If you were constricted in your budget, especially if you were going out and borrowing 40 percent on the dollar for your budget, you would certainly take this off the list of capital projects that you would commit to.

So I commit to you, it is only logical at this point that we pass this amendment and we incrementally at least make progress where we know we can on reducing the borrowing and send back a little vote of confidence to the market that all of us here, when we see an opportunity, are going to shave back Federal expenditures in areas where there cannot possibly be a return on that investment for the taxpayers of the United States.

Mr. BROUN of Georgia. Reclaiming my time, I again want to say that Members of Congress should do what I am doing, and I believe it's very critical for us to do so. I have supported over $5 billion worth of cuts in the appropriations bills that we've seen thus far.

We are in an economic emergency as a Nation. Creating jobs in the private sector and putting our country back on good economic course and creating a stronger economy and creating more taxpayers by creating those jobs out in the private sector is what is absolutely critical for the future of this Nation. So even though this may sound like a meager amount of money to some Members of Congress, $10 million is still a lot of money, and I support the amendment. I applaud Mr. ROYCE for bringing it.

I yield back the balance of my time.

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

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

Mr. ROYCE. 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 California will be postponed.

AMENDMENT NO. 43 OFFERED BY MR. BROUN OF GEORGIA

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 28, line 13, after the dollar amount insert ''reduced by $820,488,000)''.

Page 62, line 2, after the dollar amount insert ''(increased by $820,488,000)''.

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

(Mr. BROUN of Georgia asked and was given permission to revise and extend his remarks.)

Mr. BROUN of Georgia. Mr. Chairman, my amendment cuts funding within the Department of Energy's Office of Science, transferring more than $820 million to the spending reduction account. Contained within this $820 million reduction are some of the most egregious examples of government waste imaginable, such as $47 million for undetermined upgrades—undetermined upgrades—$20 million for the energy innovation hub for batteries, $4 million for energy efficient-enabling materials, and almost $9 million for the experimental program to stimulate competitive research.

In my extensions, I will list a whole lot of other egregious examples of government waste that this amendment will cut. These are just some of the many examples of duplicative, wasteful examples within the Department of Energy's Office of Science that are funded by taxpayer dollars that would be cut by this amendment.

While I believe the Federal Government does have a role in vital basic science research, I do not believe the Federal Government should be spending scarce taxpayers' dollars on every type of research imaginable or suggested here in Congress. Much of the research done in the agency should be done in the private sector.

Tough fiscal decisions have to be made, and they have to be made right now. We have put off bringing discipline to the budget and appropriations process far too long. Members of Congress need to look far and wide through every single nook, cranny, and corner of the Federal expenditures and cut wasteful, duplicative spending. And this is just an amendment that will cut over $820 million of those kinds of projects that we just cannot afford.

I urge my colleagues to support my amendment.

My amendment cuts funding within the Department of Energy's Office of Science, transferring $820,488,000 dollars to the spending reduction account.

Contained within this $820,488,000 reduction are some of the most egregious examples of government waste: $20 million for Energy Innovation Hub for Batteries; $24.3 million for Fuels from sunlight Energy Hub; $547,075,000 for Biological and Environmental Research; $8 million for Solar Electricity from Photovoltaics; $16 million for Carbon capture and sequestration; $8 million for Advanced solid-state lighting; $4 million for Energy Efficient—Enabling Materials; $10 million for Methane hydrates; $47 million for Undetermined upgrades; $15 million for Energy systems simulation—internal combustion engine; $8.52 million for Experimental Program to Stimulate Competitive Research; $4 million for Physical behaviors of materials—Photovoltaics; 52,741,000 for Chemical sciences, biosciences and geo sciences—Solar Photochemistry; $43,003,000.00 for Chemical sciences, biosciences and geo sciences—Geosciences; and $12,849,000 for Workforce development.

While I believe the federal government does have a role in vital basic science research, I do not believe the federal government should be spending scarce taxpayer dollars on all types of research. Much of the research done in the agency should be done in the private sector.

Tough fiscal decisions have to be made now! We have put off for too long bringing discipline to the budget and appropriations process.

I urge my colleagues to support my amendment.

I yield back the balance of my time.

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

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

Mr. FRELINGHUYSEN. Mr. Chairman, I rise to oppose the gentleman's amendment.

The Energy and Water bill makes available a very limited amount of funding for activities which are Federal responsibilities, activities such as basic science research and development. This is very early stage work which the private sector simply has no profit incentive to invest in. It funds cutting-edge research that will be the foundation of technology in future decades. This science research leads to the breakthroughs in innovation that will make our Nation's energy sector self-sufficient and keep America competitive as the world leader of science innovation.

□ 2010

This is why we work so hard to sustain funding for this program. Blindly cutting it will not only cut hundreds of more jobs around the country; it will put at risk our Nation's competitive edge in intellectual property and potentially set back our country's energy future.

I must oppose this amendment and ask other Members to do the same.

I yield back the balance of my time.

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

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

Mr. VISCLOSKY. The Department of Energy owns world-class facilities and researchers, and we should be taking full advantage of these facilities and not cut this account to where we are not able to use the capital fixed assets we have for this significant request in a reduction in funding.

I would point out to my colleagues, in 2006 President Bush made a commitment to double the budget for the Office of Science over a decade. The commitment to double funding for research and development by President Bush in science and technology was a response to stark warnings from a group of government experts and business leaders that warned in their report, known as ''Rising Above the Gathering Storm,'' that the scientific and technological building blocks critical to our economic leadership are eroding at a time when many other nations are gathering strength.

I would certainly share the gentleman's concern about some of the myriad programs and ensuring that they do communicate with one another. He had mentioned the hubs. I had been critical of hubs in my past comments.

He has talked about management. I have been very critical of the Department of Energy as far as their project management.

But I would also point out that in relative terms, I believe that the Office of Science, and particularly given the leadership under President Bush by Dr. Orbach, who is now at the University of Texas, has done a very good job in getting a handle on the Department, improving its management skills and trying to do their very best as far as the expenditure of these funds.

For those reasons I do, again, strongly oppose the gentleman's amendment.

I yield back the balance of my time.

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

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

Mr. BROUN of Georgia. 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 Georgia will be postponed.

The Clerk will read.

The Clerk read as follows:

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of the Nuclear Waste Policy Act of 1982 (Public Law 97-425), $25,000,000, to remain available until expended, and to be derived from the Nuclear Waste Fund.

AMENDMENT OFFERED BY MR. HECK

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 28, amend lines 16 through 19 to read as follows:

For nuclear waste disposal activities to carry out the purpose of the Nuclear Waste Policy Act of 1982 (Public Law 97–425), including the acquisition of real property or facility construction or expansion, $25,000,000 to remain available until expended and to be derived from the Nuclear Waste Fund: *Provided*, That $2,500,000 shall be provided to the State of Nevada to conduct appropriate activities pursuant to that Act: *Provided further*, That $2,500,000 shall be provided to the affected units of local government, as defined in Nuclear Waste Policy Act of 1982, to

conduct appropriate activities pursuant to the Act: *Provided further*, That the distribution of the funds shall follow the current formula used by the affected units of local government: *Provided further*, That $20,000,000 shall be provided for the purpose of research and development in the areas of fuel recycling and accelerator transmutation technology.

Mr. FRELINGHUYSEN. 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 Nevada is recognized for 5 minutes.

Mr. HECK. Mr. Chairman, Thomas Jefferson said: ''Laws and institutions must go hand-in-hand with the progress of the human mind.''

As that becomes more developed, more enlightened, as new discoveries are made, new truths discovered and manners and opinions change, with the change of circumstances, institutions must advance also to keep pace with the times.

Almost 30 years have elapsed since this Congress passed the Nuclear Waste Policy Act; and over that time, technology and scientific knowledge have evolved and, indeed, new discoveries made, truths discovered, and opinions changed.

But for some reason, Congress still clings to technology from a bygone era to address today's nuclear waste issues.

The fact is, sticking our country's nuclear waste in a hole in the ground for long-term storage is a 20th-century solution. Instead, we should encourage the use of a 21st-century technology.

My amendment redirects money from the nuclear waste fund and designated from Yucca Mountain licensing and waste storage into the development of a 21st-century solution, a fuel recycling and accelerated transmutation program. This program would significantly reduce the toxicity of nuclear waste and retrieve additional energy from the material through radio chemistry and subcritical transmutation using accelerator technology.

Perhaps more important for Nevada, the site of Yucca Mountain and the State with the highest unemployment rate in the country, is the fact that this 21st-century solution has the potential to create in a single generation no less than 10,000 new direct research and development jobs utilizing existing regional technology capabilities.

My amendment also provides continued oversight funding for the State of Nevada and the affected units of local government as they have received resources to oversee the Yucca program since its inception. Even during the most recent continuing resolution passed by this body only a few short months ago, funding through the Department of Energy continued to provide these resources.

The U.S. continues falling behind developed and developing countries in fully funding and implementing these types of projects, 21st-century solutions that are critical to maintaining our Nation's economic and technological superiority.

I urge my colleagues to embrace the future of nuclear waste disposal and support this amendment so that this institution may go hand in hand with the progress of the human mind and with the change of circumstances this institution also advances to keep pace with the times.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I continue to reserve a point of order, and I move to strike the last word.

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

Mr. FRELINGHUYSEN. I oppose the amendment, but certainly I recognize Dr. HECK's leadership on this issue, and I know of what he speaks and how proud he is of his State and how determined he is relative to the Yucca Mountain project.

I just want you to know, having been to that site at one point in time and seeing the substantial investment there, of course, from many other people's perspective, including mine, that substantial investment at some point ought to be realized.

So, understandably, we appreciate and understand where you are coming from, and we respect your dedication to your own State's welfare.

Mr. Chairman, I do rise to oppose the amendment. This amendment attempts to secure additional funding for the State of Nevada. It also attempts to stipulate policies for research and development for the back end of the fuel cycle, which should properly be authorized before they are funded from this account.

This committee and Members, and many Members, have taken a strong position against the administration's Yucca Mountain policy that's well known.

The future of our nuclear waste policy, of course, deserves more consideration than this amendment and perhaps this evening would afford.

I yield back the balance of my time.

□ 2020

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I must insist on my point of order.

The Acting CHAIR. The gentleman will state his point of order.

Mr. FRELINGHUYSEN. I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriations bill. Therefore, it violates clause 2 of rule XXI.

The rule states in pertinent part: ''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment gives affirmative direction in effect.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to be heard on the point of order?

The gentleman from Nevada is recognized.

Mr. HECK. Mr. Chairman, I would respectfully request that during your deliberation on the point of order that you consider the fact that in the second session of the 111th Congress, a similar provision was passed by this body in H.R. 5866.

The Acting CHAIR. The Chair is prepared to rule.

The Chair finds that this amendment includes language imparting direction. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

The Clerk will read.

The Clerk read as follows:

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

For necessary expenses in carrying out the activities authorized by section 5012 of the America COMPETES Act (42 U.S.C. 16538), $100,000,000, to remain available until expended.

AMENDMENT OFFERED BY MR. SCHIFF

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 28, line 23, after the dollar amount insert ''(increased by $79,640,000)''.

Page 32, line 4, after the dollar amount insert ''(reduced by $79,640,000)''.

Mr. SCHIFF (during the reading). Mr. Chairman, I request unanimous consent that the reading of the amendment be waived.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

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

Mr. SCHIFF. Mr. Chairman, my amendment as offered by my colleagues, Representative BASS and Representative FUDGE, would simply restore ARPA-E funding to the fiscal year 2011 level of $179.6 million.

ARPA-E was created in 2009 to bring the kind of innovative thinking that is well known at DARPA, the Defense Advanced Research Projects Agency, to the energy sector. That includes a focus on high-risk, high-reward R&D and a quick-moving culture made up of experts who stay for just a few years to ensure that new ideas are continually being brought forward. Unlike some government agencies, its philosophy, much like a tech start-up, is to hire the best technical staff and then hire the managers and leadership that can get the best out of them.

This reinvention of the way that government does business is something that we should be encouraging. A leaner approach adopted from the private sector, with a more agile leadership and the mandate to cut underperforming research avenues, is exactly what the Department of Energy needs. The American Energy Innovation

Council, made up of CEOs and chairmen of some of America's biggest companies, including Bill Gates, Norm Augustine and Jeff Immelt, have proposed spending $1 billion a year on ARPA-E, seeing it as a vital part of our energy future. This bill provides just $100 million, so they endorsed a version of this amendment in the Appropriations Committee.

I recognize that we have a serious deficit problem as a member of the Blue Dog Coalition, and we need to deal with it. But as we make the difficult choices to do that, I don't believe that as we emerge from a recession that we should cut the innovative research that makes America great and has fueled our economic growth for generations.

Energy is not just an economic issue, of course. It is also a national security issue. Some of our ARPA-E's research may help us cut down on fuel convoys in Afghanistan, and every bit of energy independence protects us from even higher energy prices driven by either instability in the Middle East or skyrocketing demand from China.

More than 50 universities, venture capital firms and professional societies—the Association of American Universities and the Association of Public and Land-grant Universities—have signed a letter in support of increasing ARPA-E funding. They and I hope that we will provide the funds that ARPA-E needs to continue to do the research that will change our world, not today, but tomorrow and for decades to come.

This amendment offsets the increase with a cut to the departmental administration account. As many people have noted, the Department of Energy has a serious management problem, and perhaps cutting this account will send a message that a new approach is needed.

But this invests in our future. Energy is a national security issue, it's an economic imperative, it's a health issue, and it's an environmental issue; and to invest in this kind of cutting-edge research in a reinvention-of-government kind of an agency is exactly the direction we should go. It's a proven approach that has been proven in the Defense Department with DARPA. It can work here in Energy. It's off to a very promising start, developing new battery technologies where we can lead the development of new batteries for electric vehicles for another generation.

I was very moved by a speech from a CEO of Google about a year ago, and he talked about how the revolution in energy that is just beginning will dwarf the revolution we have just come through in telecommunications because energy is a far bigger sector of our economy. We want to lead that energy revolution. If we do, the benefits to our economic development will be enormous, just as they were in terms of the telecommunications revolution. We don't want to see this leadership go to China, India or any other nation. But if we're serious about it, we need to invest in cutting-edge research. That's exactly what ARPA-E does.

I urge this Congress not to cut back on the Nation's future, but to support the innovative work being done by ARPA-E.

I yield back the balance of my time.

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

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

Mr. FRELINGHUYSEN. I rise to oppose the amendment.

My colleague's amendment would add funding to ARPA-E which receives $100 million in our bill. Our bill, which reduces funding to nearly the 2006 levels—may I repeat, 2006 levels—fulfills our top responsibility of reducing government spending while focusing funding on a small set of top priorities.

In addition to national defense and water infrastructure, our top priorities include research to keep Americans competitive in science, innovation and the development of intellectual property.

ARPA-E is a relatively new program—today we're discussing only its second regular fiscal year appropriation—that offers industry, university and laboratory grants for high-risk energy innovations. ARPA-E is getting positive early reviews for its strong management and ability to execute on its mission to drive innovation and keep American companies competitive.

However, I share many of my colleagues' concerns about this program. ARPA-E must not intervene where capital private markets are already acting, and it must not be redundant with other programs at the Department.

In fact, ARPA-E is still a young program, and it is prudent to provide a lower level of funding while it is still maturing as a program and demonstrating its ability to address congressional concerns, especially when the bill has so many important priorities competing for scarce funding. This prudent approach is especially warranted when the bill has so many important priorities competing.

While I support the goal of this new program, I cannot support any additional funding at this time. Further, this amendment makes an unrealistic cut to the Department's salaries and expenses. We cannot cut departmental oversight by 35 percent and expect the efficient use of taxpayer dollars and more oversight and more management responsibilities. For these reasons and many more, I must oppose the gentleman's amendment.

I yield back the balance of my time.

Mr. BASS of New Hampshire. Mr. Chairman, I rise in support of the amendment and move to strike the last word.

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

Mr. BASS of New Hampshire. A minute or two ago, I was in the Cloakroom and I drew up the Web site for ARPA-E, and it says at the top: ''Disruptive and innovative approaches to technology.'' What a wonderful thought, that a government agency can be disruptive and innovative at the same time.

Billions of dollars have been spent on coal, on oil research, on wind and solar, on biomass and conservation and the FreedomCAR. I got involved in the alternative energy business way back in the late seventies when I was a staffer when ERDA was created. We had a real energy crisis in this Nation as we do today. And yet we're really not anywhere nearly as far along this path as we need to be.

Now, someone in the Congress, in the Department of Energy, had the good idea of taking all these ideas for research and creating an entity that would be devoted to giving individuals and inventors, people with good ideas, that little spark that they need to turn those ideas into reality.

The first time they went out for solicitations, they got some 3,500 to 4,000 short, 7-page letters describing ideas. This is a program that leverages a relatively small amount of research dollars into an enormous potential benefit not only to America but to the world.

□ 2030

But within our boundaries here, we have the objective of lessening our dependence on foreign energy, of cleaning up our environment, of creating jobs and new economies for Americans. Given the fact that we have spent literally billions on the research and development in traditional energy resources, all we are asking to do in this amendment is to get the level up to last year, $71 million over the suggested appropriation of $100 million; $71 million. All that to support an agency that, using their own words, provides a fresh look, a flexible, efficient way to find new ideas to solve very serious problems in America.

I hope that the Congress will support Mr. SCHIFF's amendment to add this $71 million to keep this program strong, active, and moving forward because I think it has the potential to do more than any other research program in alternative energy can do today. I urge support of this amendment.

I yield back the balance of my time.

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

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

Mr. VISCLOSKY. I rise in opposition to the amendment. I have spoken on a number of occasions this evening about the need to invest in research. In this instance, there is a school of thought that I would not argue, that ARPA-E has shown some promise as a new organizational model at the Department of Energy. But as I have stated, debating this point in the past, I am troubled that the vigor at the Department that has led to ARPA and this new idea, singular, has largely been absent when it

comes to addressing the systemic management and communication problems in other existing applied programs.

The Department had a great idea that I support in creating energy frontier research centers. That began in 2009, and we now have 46 energy frontier research centers doing good work. We now have energy innovation hubs. We have a hub for energy-efficient building systems. We have a hub for fuels; a sunlight hub. We have a hub for modeling and simulation. There is a request approved in this bill for a hub for batteries and storage. A hub for critical materials.

The Department of Energy in 2007 had an idea that we should have a bioenergy research center system, and we now have three. We have the Joint Bioenergy Institute in Berkeley, California. We have the Great Lakes Bioenergy Research Center in Madison, Wisconsin. We have the Bioenergy Science Center in Oak Ridge, Tennessee.

In 1997, the Department of Energy had an idea. We should have a Joint Genome Institute. It was established, and now we have one in Walnut Creek, California.

We have what has been described to me as the gems of the intellectual power of the United States of America in the various laboratories that I have not even enumerated in my remarks.

Again, given the allocation we have had, there have been cuts to the underlying accounts in science and EERE that provide funding for many of these research centers. I think before we proceed along the lines established in this amendment, we need to make sure that the Department understands what their allocation of resources are for what they have and what they historically have had to make sure that there is good communication, and to make sure that the promise of ARPA is met as we proceed down this road before again we start making additional significant investments.

So I do understand and appreciate what the gentleman wants to do here. I do support this research to create this knowledge, but it is time to ensure that the Department is managing properly and having proper communication between all of these other centers first. For that reason, I object to the gentleman's amendment.

I yield back the balance of my time.

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

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

Mr. SCHIFF. 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 California will be postponed.

The Clerk will read.

The Clerk read as follows:

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Subject to section 502 of the Congressional Budget Act of 1974, for the cost of loan guarantees for renewable energy or efficient end-use energy technologies under section 1703 of the Energy Policy Act of 2005, $160,000,000, to remain available until expended: *Provided*, That the amounts provided in this section are in addition to those provided in any other Act: *Provided further*, That, notwithstanding section 1703(a)(2) of the Energy Policy Act of 2005, funds appropriated for the cost of loan guarantees are also available for projects for which an application has been submitted to the Department of Energy prior to February 24, 2011, in whole or in part, for a loan guarantee under 1705 of the Energy Policy Act of 2005: *Provided further*, That an additional amount for necessary administrative expenses to carry out this Loan Guarantee program, $38,000,000 is appropriated, to remain available until expended: *Provided further*, That $38,000,000 of the fees collected pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections to this account to cover administrative expenses and shall remain available until expended, so as to result in a final fiscal year 2012 appropriations from the general fund estimated at not more than $0: *Provided further*, That fees collected under section 1702(h) in excess of the amount appropriated for administrative expenses shall not be available until appropriated: *Provided further*, That for amounts collected pursuant to section 1702(b)(2) of the Energy Policy Act of 2005, the source of such payment received from borrowers is not a loan or other debt obligation that is guaranteed by the Federal Government: *Provided further*, That none of the loan guarantee authority made available in this paragraph shall be available for commitments to guarantee loans for any projects where funds, personnel, or property (tangible or intangible) of any Federal agency, instrumentality, personnel or affiliated entity are expected to be used (directly or indirectly) through acquisitions, contracts, demonstrations, exchanges, grants, incentives, leases, procurements, sales, other transaction authority, or other arrangements, to support the project or to obtain goods or services from the project: *Provided further*, That the previous proviso shall not be interpreted as precluding the use of the loan guarantee authority in this paragraph for commitments to guarantee loans for projects as a result of such projects benefiting from (1) otherwise allowable Federal income tax benefits; (2) being located on Federal land pursuant to a lease or right-of-way agreement for which all consideration for all uses is (A) paid exclusively in cash, (B) deposited in the Treasury as offsetting receipts, and (C) equal to the fair market value as determined by the head of the relevant Federal agency; (3) Federal insurance programs, including under section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210; commonly known as the ''Price-Anderson Act''); or (4) for electric generation projects, use of transmission facilities owned or operated by a Federal Power Marketing Administration or the Tennessee Valley Authority that have been authorized, approved, and financed independent of the project receiving the guarantee: *Provided further*, That none of the loan guarantee authority made available in this paragraph shall be available for any project unless the Director of the Office of Management and Budget has certified in advance in writing that the loan guarantee and the project comply with the provisions under this paragraph.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

For administrative expenses in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, $6,000,000, to remain available until expended.

AMENDMENT NO. 48 OFFERED BY MR. BROUN OF GEORGIA

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 31, line 21, after the dollar amount insert ''(reduced by $6,000,000)''.

Page 62, line 2, after the dollar amount insert ''(increased by $6,000,000)''.

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

Mr. BROUN of Georgia. Mr. Chairman, my amendment eliminates funding for the Advanced Technology Vehicles Manufacturing Loan Program, transferring $6 million to the spending reduction account.

Mr. Chairman, I am 100 percent supportive of the automobile industry producing more fuel-efficient automobiles. However, there is simply no good reason that the Federal Government should be subsidizing billion-dollar companies at a time when our Nation is broke.

Over the past few years, we have seen the automobile industry receive an unprecedented amount of government assistance. We have seen an industry bailout, the market distorting Cash for Clunkers program, and many more subsidies, all done with little regard for taxpayers' money. It is time that we begin to reverse this disturbing trend and let the automobile industry succeed or fail on its own merits. We have to stop these kinds of subsidies, particularly in these hard times when our Nation is in economic emergency. I urge support of this amendment.

I yield back the balance of my time.

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

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

Mr. FRELINGHUYSEN. I rise to oppose this amendment. I'm strongly in favor of a thriving domestic automotive industry, but I'm sure the gentleman knows I have also been critical of the slow pace with which the Department has implemented this program.

In the Homeland Security bill, we trimmed out $1.5 billion for this program, which has been sitting unused since 2009. We have put it toward flood assistance, where there was a true emergency purpose. But we left adequate funding to cover applications already in the pipeline. Cutting those off midstream would put at risk, I believe, thousands of jobs, and literally billions of dollars of private sector investment.

Understandably, I know where the gentleman is coming from, but I urge opposition to his amendment.

I yield back the balance of my time.

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

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

Mr. VISCLOSKY. I rise in opposition to the gentleman's amendment. The Advanced Technology Vehicles Manufacturing Loan Program supports the development of innovation and advanced technologies that create energy jobs and reduce our Nation's dependence on oil.

I believe that this is an energy issue in its truest form as far as reducing our dependency on foreign oil. Another observation I would make: If the amendment is adopted, it would ensure that we would have no oversight, no oversight of the loans that the Department has already issued, ensuring that both Congress and the administration would, therefore, abdicate their responsibility to protect and ensure that taxpayer dollars are used in the manner they were intended and that the recipients follow through on the conditions of those loans.

For these reasons and reasons espoused by my chairman, I again am opposed to the gentleman's amendment.

I yield back the balance of my time.

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

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

Mr. BROUN of Georgia. 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 Georgia will be postponed.

□ 2040

The Clerk will read.

The Clerk read as follows:

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses not to exceed $30,000, $221,514,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total $111,883,000 in fiscal year 2012 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during 2012, and any related appropriated receipt account balances remaining from prior years' miscellaneous revenues, so as to result in a final fiscal year 2012 appropriation from the general fund estimated at not more than $109,631,000.

AMENDMENT NO. 64 OFFERED BY MR. BROUN OF GEORGIA

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 32, line 4, after the dollar amount insert ''(reduced by $2,500,000)''.

Page 62, line 2, after the dollar amount insert ''(increased by $2,500,000)''.

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

Mr. BROUN of Georgia. Mr. Chairman, my amendment would reduce the operating budget of the Office of the Energy Secretary by 50 percent, transferring $2.5 million to the spending reduction account.

I've spent a considerable amount of time on the floor of the House during the FY 2012 appropriations process working to find spending cuts across every level of the Federal Government and across nearly every agency. I understand the challenges that the Secretary of Energy faces and the enormity of the Department that he is tasked with overseeing. But even the Department of Energy must do its part to reduce the deficit.

We've got to cut wherever we can. The future of our Nation depends upon it. Our children and grandchildren's future depends upon it. We're broke as a Nation. We have to look into every nook, cranny, and corner of the Federal expenditures and find wherever we can reduce expenditures, and this is my attempt to continue to do so.

I urge support of my amendment.

I yield back the balance of my time.

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

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

Mr. FRELINGHUYSEN. Mr. Chairman, if Dr. BROUN is insistent, I must say that I want to thank him for his amendment and I am willing to accept it.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FORTENBERRY

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, line 4, after the dollar amount, insert ''(reduced by $35,000,000)''.

Page 34, line 20, after the dollar amount, insert ''(increased by $35,000,000)''.

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

Mr. FORTENBERRY. Mr. Chairman, this amendment would reduce the Department of Energy administration account by $35 million and increase the Global Threat Reduction Initiative by a $35 million amount as well.

As cofounder of the House Nuclear Security Caucus, together with my colleague Mr. SCHIFF, I am deeply concerned about the potential nuclear security threats and vulnerabilities, and I am committed to strengthening momentum on efforts to secure fissile materials and prevent the proliferation and misuse of sensitive nuclear materials and technologies here and around the world.

I also want to thank Representative SANCHEZ for her longstanding commitment to this important issue as well.

Mr. Chairman, nuclear terrorism is a threat so serious in its consequences that we often shrink from even contemplating it. But ignoring the problem is not an option. There are some relatively straightforward steps that we can take to reduce our vulnerabilities, and one of these is to strengthen the Global Threat Reduction Initiative.

To date, this important program has converted or verified the shutdown of 76 out of 200 highly enriched uranium research reactors to be converted or verified as shut down by the year 2022. The program has removed 3,085 kilograms of highly enriched uranium and plutonium from 42 countries. The program has eliminated all highly enriched uranium from 19 countries and plans to eliminate all of it from an additional nine countries by December of 2013.

These countries—the 19 it was removed from—include Brazil, Colombia, Latvia, Portugal, South Korea, Bulgaria, Denmark, Spain, Thailand, Greece, the Philippines, Slovenia, Sweden, Romania, Libya, Turkey, Taiwan, Chile, and Serbia.

In addition, the program has also overseen the removal of 960 kilograms of highly enriched uranium. Mr. Chairman, that's enough for 38 nuclear weapons, and this is since 2009.

It is vital that we work together to transcend any differences in this body to prevent our world from sleepwalking to utter disaster. We are at a crossroads. The technical advances that have enabled transnational communication and cooperation for progress have also enabled and benefited individuals and groups bound by ideologies that threaten the very foundations of civil society and government. I consider it our collective mission to ensure that we succeed in controlling nuclear technology and materials to leave a stable global environment for generations.

Mr. Chairman, I urge my colleagues to join me and Representative SANCHEZ in supporting this important amendment.

I yield back the balance of my time.

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

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

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in support of the amendment and salute the gentleman for his knowledge. He serves on the authorizing committee, and we can't argue

against the statistics that he has proposed.

I should say for the record that our bill strongly supports our nuclear security strategy. It fully funds the 4-year effort to lock down nuclear materials around the world and increases funding for our other international security efforts, such as enforcing export controls and promoting nuclear safeguards.

With that, I am happy to yield to the ranking member.

Mr. VISCLOSKY. I appreciate the chairman for yielding and supporting the amendment.

I certainly appreciate the gentleman offering this amendment. I think it's very, very important. Certainly I think the most serious threat confronting this Nation is that of nuclear terrorism.

Again, I appreciate the gentleman's work on the issue day in and day out, offering the amendment, as well as those who support it. I rise in support of it.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

Ms. LORETTA SANCHEZ of California. Mr. Chair, I would like to thank Representative FORTENBERRY for working with me along with Representative LARSEN and GARAMENDI in order to offer this important amendment.

This amendment is a small restoration of funds in response to a $468 million cut to defense nonproliferation programs in this bill—equivalent to an 18% reduction in funding.

The $35 million would come from the Departmental Administrative account.

This transfer of funding will contribute to reducing the risk of nuclear terrorism.

The danger that nuclear materials or weapons might spread to countries hostile to the United States or to terrorists is one of the gravest dangers to the United States—nonproliferation programs are critical to U.S. national security and must be a top priority.

The funding for Global Threat Reduction Initiative (GTRI) specifically supports securing vulnerable nuclear material around the world in 4 years, in order to prevent this deadly material from falling into the hands of terrorists intent on doing us harm.

Nonproliferation programs are the most cost-effective way to achieve these urgent goals and objectives.

Last year at the Nuclear Security summit which brought together nearly 50 heads of state in Washington, President Obama secured significant commitments from countries willing to give up their nuclear weapons-usable material.

The United States must follow through on its international commitments to help remove and secure these materials.

Failing to do so will jeopardize the effort to secure these materials in 4 years, result in unacceptable delays and complicate further negotiations with countries who have vulnerable nuclear bomb-grade materials.

Specifically, a $35 million increase would prevent delays of at least 1 year to Highly Enriched Uranium reactor conversions in Poland, Kazakhstan, Uzbekistan, Ghana, and Nigeria.

Reactor conversions are directly linked to removal of bomb-grade material: removals of vulnerable material from these sites that cannot take place until the reactors are converted.

These countries are among the NNSA's highest priorities to secure material, convert research reactors and remove vulnerable HEU.

These funds would also expedite by 1 year the development of a new low enriched uranium fuel for the conversion of 6 U.S. High Performance Research reactors that currently use approximately 150 kilograms—6 nuclear weapons' worth—of highly enriched uranium annually.

The $35 million will help not only the U.S. fuel development program but also our R&D efforts with Russia for conversion of their high performance reactors that need this same new type of high density fuel.

Over 70 research reactors that should be shut down or converted are in Russia, and there has been recent progress on converting at least 6 reactors.

We are right at the cusp of success in addressing these dangerous Russian reactors.

Cuts to funds now would send a bad message and squander an important opportunity to move forward and pursue cost sharing on some of the remaining reactors.

The 9–11 Commission and of the Nuclear Posture Commission noted the urgency of addressing this grave danger, with the Nuclear Posture Commission warning that "The urgency arises from the imminent danger of nuclear terrorism if we pass a tipping point in nuclear proliferation."

I urge support for this modest increase of $35 million that will help address the risk of delays to the most urgent efforts for removing and securing vulnerable materials, stemming from FY11 appropriations cuts.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SHIMKUS

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, line 4, after the dollar amount insert "(reduced by $10,000,000)".

Page 54, line 20, after the second dollar amount insert "(increased by $10,000,000)".

Page 54, line 25, after the dollar amount insert "(increased by $10,000,000)".

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

Mr. SHIMKUS. Thank you, Mr. Chairman.

First of all, I want to thank my colleagues on the Appropriations Committee. I don't come down to the floor often. This is a special occasion and a special time to bring focus on Yucca Mountain.

As the investigation continues into the shutdown of Yucca Mountain, we have heard over and over again that the licensing application should move forward and let the science speak for itself.

The $10 million provided in the bill is a start but too low for the Nuclear Regulatory Commission to do anything functional toward reviewing the licensing application. In fact, just a few years ago, they were receiving nearly $60 million for these efforts.

In addition, the Shimkus-Inslee amendment—it didn't officially get recorded that way, but that was our intent, that JAY INSLEE, my friend from Washington State, would join me. The amendment adds $10 million to continue the Yucca Mountain license application. There is $10 million in the bill, and my amendment would take it to $20 million.

Our amendment is budget neutral and fully offset by taking funds from the DOE's departmental administration account. We are asking DOE to do more with less by making modest cuts to an account for salaries and expenses. And, again, I want to thank the Appropriations Committee for helping us find a way to move in this direction. Again I want to thank my colleague Mr. INSLEE for supporting this amendment.

I have had a lot of my colleagues on both sides of the aisle talk to me about when are we going to have a vote on the floor to show our support for what we have done? What we have done historically, in 1982 the Nuclear Waste Policy Act was passed, 30 years, countless different administrations on both sides of the aisle, different control of the Chamber here, both parties.

□ 2050

This has been our consistent policy for 30 years. Now, with Japan and Fukushima Daiichi and part of the problem being high-level nuclear waste stored in pools, we have to have a centralized location. This amendment says let us finish the science to get to the final permit, and let that science be the judge. It's providing the money.

But I will tell you that we have high-level nuclear waste all over this country, and we need it in one centralized location. It has been our policy that that would be Yucca Mountain—an isolated area in Nevada, in the desert, 90 miles from Las Vegas. It's underneath a mountain, in the desert, in one of the most arid places in this country. If we can't store it there, we really can't store it anywhere. As you've heard from my colleagues already this evening, it is stored in locations we should not have it.

Again, I really want to thank the Appropriations Committee for helping me through this process. We need a vote. I will call for a vote.

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

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

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

Mr. INSLEE. I want to thank the gentleman from Illinois and the committee for helping us find a solution to this problem.

There are really a couple of reasons for this amendment:

One, there really is a national interest here. We've got 75,000 metric tons of nuclear waste at 80 sites in 45 States. This is a national interest, a national

bill, and is an appropriation we need to get done.

Two, my State is particularly acute at the Hanford site, a place where we fought World War II and the Cold War, and now we are preparing nuclear waste to go to Yucca Mountain—nuclear waste that, essentially, will be all dressed up with no place to go if we don't finish this project.

This is a very small step forward, but I do think it's important, not just for the $10 million that will help us move forward on the scientific assessment of this, but the fact that it will be another statement by this House of why we need to move forward. We made that statement in 1987. We made that statement in 2002. We made it again in 2007. This is the way to do it in the appropriations system. It is an important statement to make. We've got to continue to push this ball uphill until this job gets done.

I yield back the balance of my time.

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 Mr. SHIMKUS' and Mr. INSLEE's amendment, and I congratulate them on bringing this very important amendment to the floor in this appropriations bill.

Just across the Savannah River from my district is the Savannah River site. I've been over there very many times, and I am very concerned about the storage of nuclear materials that are there on the site, and that's happening all over this country. We hear people talk about this as nuclear waste, but I don't view it that way. In fact, there is a tremendous amount of energy in the fuel rods and in the nuclear material that's being stored at facilities all over this country. We just don't know how to utilize it, and we're just beginning that process.

Some of these fast reactors, small modular reactors, would burn up a lot of this nuclear material and would provide energy that is drastically needed. Yet, Mr. Chairman, one man from Nevada—a staffer, who left from being on staff in the U.S. Senate and went to the administration—has, what I consider to be, illegally closed up Yucca Mountain. This administration has illegally closed up Yucca Mountain.

This facility has been studied at great lengths. I'm on the Science, Space, and Technology Committee, and am the Subcommittee chairman for Investigations and Oversight. We've looked at this. We've had hearings. In fact, I just recently had a group of people from our local area, the Augusta area—and North Augusta, in the South Carolina area of Aiken County, where SRS is—testify about what's going on and about Yucca Mountain.

It is critical that we as a Congress do what the law requires. We need a central repository. We need somewhere we can store this material, not as waste, but we need a repository so that this material can be set in a safe, scientifically studied area that won't harm anybody. Yucca fits all of those categories. It's the only place in this country that does. We can store this material until we can utilize it.

We need to be energy independent as a Nation. Nuclear energy is going to be one of the keys of an all-of-the-above energy policy. We, on our side, have been fighting for that, and I know some Democrats are very supportive of nuclear energy, as I am. I am an ardent supporter of nuclear energy, and I think it's absolutely critical in order for us to go forward. Yucca Mountain has to be a part of that formula, and we cannot close it up. We've spent billions of taxpayer dollars on this facility. One man, because he doesn't want it in his backyard, has prompted this administration to close it up. We've got to open it up.

So I congratulate Mr. INSLEE and particularly my dear friend JOHN SHIMKUS from Illinois for bringing this amendment to the floor. We need to support it. We need to have a vote on it so that we can show how important this is to Members of Congress. I congratulate them, and I wholeheartedly support it, and hope other Members of Congress will support it, too.

I yield back the balance of my time.

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

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

Mr. FRELINGHUYSEN. I strongly support, Mr. Chairman, the Shimkus-Inslee amendment.

This administration's Yucca Mountain policy has been, at best, irresponsible with the taxpayers' time and treasure. Most Members in this room have voted many times in support of this project. For years, we supported it as the law of the land, and ensured that the scientific review process continued so we could understand how good the site was.

Despite more than the $15 billion already spent on the site or the more than $16 billion in potential fines that the taxpayer is facing because the administration has not fulfilled its responsibility to take spent fuel off the hands of so many utilities, this administration has persisted in a backroom political deal to shut down the project. Yet, despite the administration's best efforts to hide from the public the inconvenient facts, we now know that the science does support Yucca Mountain as a long-term geological repository. The NRC's review, which was virtually complete when the administration pulled the plug, apparently shows that the site can safely store the fuel for thousands and thousands of years if that is necessary.

Even in the face of this, the administration hasn't changed its position. We can only keep the pressure on and trust that good policy and good science will eventually overcome bad politics. We need to finish the Yucca Mountain license application so that we as a Nation can take into account all of the facts as we determine the future of nuclear energy in this country.

I want to thank the gentlemen, both Mr. INSLEE and Mr. SHIMKUS—members of the authorizing committee.

I had an opportunity, as an observer, to attend Mr. SHIMKUS' subcommittee. May I say I was impressed by how the gentleman from Illinois questioned the NRC commissioners, and particularly the chairman, on some of the very questions the gentleman from Illinois and other Members have raised.

I want to commend you for your vigor and for your astuteness and for coming to the floor with this very important amendment.

I would be happy to yield, unless he cares to have his own time, to the ranking member, the gentleman from Indiana.

Mr. VISCLOSKY. I appreciate the chairman's yielding. I would just add two brief comments in support of the amendment and of the chairman's remarks.

The administration's attempts to shut this activity down, I believe, are without scientific merit, and are contrary to existing law and congressional direction.

I believe that the Federal Government has a responsibility to demonstrate its capability to meet its contractual obligation under the Nuclear Waste Policy Act by addressing the spent fuel and other high-level nuclear waste at permanently shutdown reactors.

So, again, I will join in support of the amendment.

Mr. FRELINGHUYSEN. I thank the gentleman.

We're going to keep Yucca Mountain open, Mr. Chairman.

I yield back the balance of my time.

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

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

Mr. SHIMKUS. 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.

□ 2100

The Clerk will read.

The Clerk read as follows:

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $41,774,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and

other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, the purchase of not to exceed one ambulance and one aircraft; $7,131,993,000, to remain available until expended: *Provided*, That of such amount not more than $139,281,000 may be made available for the B-61 Life Extension Program until the Administrator for Nuclear Security submits to the Committees on Appropriations of the House of Representatives and the Senate the outcome of its Phase 6.2a design definition and cost study: *Provided further*, That of the unobligated balances available under this heading, $40,332,000 are hereby rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

DEFENSE NUCLEAR NONPROLIFERATION

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one passenger motor vehicle for replacement only, $2,086,770,000, to remain available until expended: *Provided*, That of the unobligated balances available under this heading, $30,000,000 are hereby rescinded; *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $1,030,600,000, to remain available until expended.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator in the National Nuclear Security Administration, including official reception and representation expenses not to exceed $12,000, $420,000,000, to remain available until expended.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one ambulance and one fire truck for replacement only, $4,937,619,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed 10 passenger motor vehicles for replacement only, $814,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93µ09454, are approved for the Kootenai River Native Fish Conservation Aquaculture Program, Lolo Creek Permanent Weir Facility, and Improving Anadromous Fish production on the Warm Springs Reservation, and, in addition, for official reception and representation expenses in an amount not to exceed $3,000. During fiscal year 2012, no new direct loan obligations may be made from such Fund.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $8,428,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to $8,428,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2012 appropriation estimated at not more than $0: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to $100,162,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, $45,010,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to $33,118,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2012 appropriation estimated at not more than $11,892,000: *Provided further*, That, notwithstanding 31 U.S.C. 3302, up to $40,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500; $285,900,000, to remain available until expended, of which $278,856,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to $189,932,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2012 appropriation estimated at not more than $95,968,000, of which $88,924,000 is derived from the Reclamation Fund: *Provided further*, That of the amount herein appropriated, not more than $3,375,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to $306,541,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $4,169,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat.

255) as amended: *Provided*, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to $3,949,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2012 appropriation estimated at not more than $220,000: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses not to exceed $3,000, $304,600,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, not to exceed $304,600,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2012 shall be retained and used for necessary expenses in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2012 so as to result in a final fiscal year 2012 appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS, DEPARTMENT OF ENERGY

(INCLUDING TRANSFERS OF FUNDS)

SEC. 301. (a) No appropriation, funds, or authority made available in this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or 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.

(b)(1) Except as provided in paragraph (2), the Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading ″Department of Energy—Energy Programs″, enter into a contract, award a grant, or enter into a cooperative agreement that obligates the Government in excess of the budget authority available under such heading for such purpose, or that is properly chargeable to budget authority of a future fiscal year before such budget authority is available, regardless of whether the contract, grant, or cooperative agreement includes a clause conditioning the Government's obligation on the availability of such budget authority.

(2) Paragraph (1) shall not apply with respect to major capital projects.

(c) Except as provided in this section, the amounts made available by this Act for the Department of Energy shall be expended as authorized by law for the projects and activities specified in the text and the ''Bill'' column in the ''Comparative Statement of New Budget (Obligational) Authority for 2011 and Budget Requests and Amounts Recommended in the Bill for 2012'' included under the heading ''Title III—Department of Energy'' in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

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

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

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

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

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

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

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

(e) The Secretary of Energy and the Administrator for Nuclear Security may jointly waive the restrictions under subsection (a) and subsection (d) on a case-by-case basis by certifying 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. 302. None of the funds made available in this title may be used—

(1) to augment the funds made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 4604 of the Atomic Energy Defense Act (50 U.S.C. 2704) unless the Department of Energy submits a reprogramming request to the appropriate congressional committees; or

(2) to provide enhanced severance payments or other benefits for employees of the Department of Energy under section 4604; or

(3) develop or implement a workforce restructuring plan that covers employees of the Department of Energy.

SEC. 303. The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 304. None of the funds in this or any other Act for the Administrator of the Bonneville Power Administration may be used to enter into any agreement to perform energy efficiency services outside the legally defined Bonneville service territory, with the exception of services provided internationally, including services provided on a reimbursable basis, unless the Administrator certifies in advance that such services are not available from private sector businesses.

SEC. 305. When the Department of Energy makes a user facility available to universities or other potential users, or seeks input from universities or other potential users regarding significant characteristics or equipment in a user facility or a proposed user facility, the Department shall ensure broad public notice of such availability or such need for input to universities and other potential users. When the Department of Energy considers the participation of a university or other potential user as a formal partner in the establishment or operation of a user facility, the Department shall employ full and open competition in selecting such a partner. For purposes of this section, the term ''user facility'' includes, but is not limited to: (1) a user facility as described in section 2203(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 13503(a)(2)); (2) a National Nuclear Security Administration Defense Programs Technology Deployment Center/User Facility; and (3) any other Departmental facility designated by the Department as a user facility.

SEC. 306. Funds appropriated by this or any other 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 2012 until the enactment of the Intelligence Authorization Act for Fiscal Year 2012.

SEC. 307. (a) In any fiscal year in which the Secretary of Energy determines that additional funds are needed to reimburse the costs of defined benefit pension plans for contractor employees, the Secretary may transfer not more than 1 percent of an appropriation made available in this or any subsequent Energy and Water Development Appropriations Act to any other appropriation made available to the Secretary by such Act for such reimbursement.

(b) Where the Secretary recovers the costs of defined benefit pension plans for contractor employees through charges for the indirect costs of research and activities at facilities of the Department of Energy, if the indirect costs attributable to defined benefit pension plan costs in a fiscal year are more than charges in fiscal year 2008, the Secretary shall carry out a transfer of funds under this section.

(c) In carrying out a transfer under this section, the Secretary shall use each appropriation made available to the Department in that fiscal year as a source for the transfer, and shall reduce each appropriation by an equal percentage, except that appropriations for which the Secretary determines there exists a need for additional funds for pension plan costs in that fiscal year, as well as appropriations made available for the Power Marketing Administrations, the loan guarantee program under title XVII of the Energy Policy Act of 2005, and the Federal Energy Regulatory Commission, shall not be subject to this requirement.

(d) Each January, the Secretary shall report to the Committees on Appropriations of the House of Representatives and the Senate on the state of defined benefit pension plan liabilities in the Department for the preceding year.

(e) This transfer authority does not apply to supplemental appropriations, and is in addition to any other transfer authority provided in this or any other Act. The authority provided under this section shall expire on September 30, 2015.

(f) The Secretary shall notify the Committees on Appropriations of the House of Representatives and the Senate in writing not less than 30 days in advance of each transfer authorized by this section.

SEC. 308. None of the funds made available in this title shall be used for the construction of facilities classified as high-hazard nuclear facilities under 10 CFR Part 830 unless independent oversight is conducted by the Office of Health, Safety, and Security to ensure the project is in compliance with nuclear safety requirements.

SEC. 309. Plant or construction projects for which amounts are made available under this and subsequent appropriation Acts with an estimated cost of less than $10,000,000 are considered for purposes of section 4703 of the Atomic Energy Defense Act (50 U.S.C. 2743) as a plant project for which the approved total estimated cost does not exceed the minor construction threshold and for purposes of section 4704(d) of such Act (50 U.S.C. 2744(d)) as a construction project with an estimated cost of less than a minor construction threshold.

SEC. 310. None of the funds made available in this title may be used to approve critical decision-2 or critical decision-3 under Department of Energy Order 413.3B, or any successive departmental guidance, for construction projects where the total project cost exceeds $100,000,000, until a separate independent cost estimate has been developed for the project for that critical decision.

SEC. 311. None of the funds made available in this title may be used to make a grant allocation, discretionary grant award, discretionary contract award, or Other Transaction Agreement, or to issue a letter of intent, totaling in excess of $1,000,000, or to announce publicly the intention to make such an allocation, award, or Agreement, or to issue such a letter, including a contract covered by the Federal Acquisition Regulation, unless the Secretary of Energy notifies the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of making such an allocation, award, or Agreement, or issuing such a letter: *Provided*, That if the Secretary of Energy determines that compliance with this section would pose a substantial risk to human life, health, or safety, an allocation, award, or Agreement may be made, or a letter may be issued, without advance notification, and the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives not later than 5 full business days after the date on which such an allocation, award, or Agreement is made or letter issued.

SEC. 312. None of the funds made available by this title may be used to make a final or conditional loan guarantee award unless the Secretary of Energy provides notification of the award, including the proposed subsidy cost, to the Committees on Appropriations of the Senate and the House of Representatives at least three full business days in advance of such award.

SEC. 313. None of the funds included in this title for the Department of Energy shall be made available to initiate, administer, promulgate, or enforce any ''significant regulatory action'' as defined by Executive Order 12866 unless the Committee on Appropriations has been notified not later than 30 days before the issuance of such action.

TITLE IV—INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, for necessary expenses for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $68,400,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100µ09456, section 1441, $29,130,000, to remain available until expended.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For necessary expenses of the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, as amended, notwithstanding sections 382C(b)(2), 382F(d), 382M, and 382N of said Act, $11,700,000, to remain available until expended.

DENALI COMMISSION

For expenses of the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, $10,700,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998 (title III of division C of Public Law 105-277): *Provided*, That funds shall be available for construction projects in an amount not to exceed 80 percent of total project cost for distressed communities, as defined in the subsection (c) added to section 307 of such Act by section 701 of Title VII of the provisions of H.R. 3424 (106th Congress) enacted into law in section 1000(a)(4) of Public Law 106µ09113 (113 STAT. 1501A-280), and an amount not to exceed 50 percent for non-distressed communities.

NORTHERN BORDER REGIONAL COMMISSION

For necessary expenses of the Northern Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $1,350,000, to remain available until expended: *Provided*, That such amounts shall be available for administrative expenses, notwithstanding section 15751(b) of title 40, United States Code.

SOUTHEAST CRESCENT REGIONAL COMMISSION

For necessary expenses of the Southeast Crescent Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $250,000, to remain available until expended.

AMENDMENT NO. 47 OFFERED BY MR. BROUN OF GEORGIA

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 54, line 12, after the dollar amount insert ''(reduced by $250,000)''.

Page 62, line 2, after the dollar amount insert ''(increased by $250,000)''.

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

Mr. BROUN of Georgia. Mr. Chairman, the Southeast Crescent Regional Commission is a Federal-State partnership intended to address the economic needs of the southeastern United States, and the Lord really knows that we have some economic needs in that area. In fact, in my district, we have counties that unemployment approaches or exceeds 25 percent. But contained within the FY12 Energy and Water appropriations bill is $250,000 in funding for this commission. My amendment eliminates funding for the Southeast Crescent Regional Commission, transferring the $250,000 to the spending reduction account.

Some of you may ask: Why go after such a small amount as $250,000? Mr. Chairman, here we see a Federal commission conducting work that would be better managed by a State agency. This entity is so small that it's hard to even find information on how the commission spends hard-earned taxpayer dollars. In fact, we can't even find a Web site for this commission. We need to look for spending cuts across every level of the Federal Government, even if that means finding cuts in the smallest of Federal bureaucracies.

For generations, Americans have been told by Members across the aisle that more government, more bureaucracy, and more Federal spending are the answers to all of their problems. We're losing our liberty because of that kind of philosophy. This line of thinking has removed many of our liberties that our Founders intended for us to have. Congress must make every effort to roll back the Big Government mentality in Washington and allow States to manage their own affairs. Zeroing out funding for this commission would be a good step in sending government powers back to the States and the people.

I urge support of my amendment.

I yield back the balance of my time.

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

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

Mr. VISCLOSKY. I rise in strong opposition to the gentleman's amendment.

The Southeast Crescent Regional Commission includes all of the counties from Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Florida that are not already served by the ARC or the DRA. Though relatively new, this regional commission is intended to address planning and coordination on regional investments and targeting resources to those communities with the greatest needs.

Many of these areas covered by this commission suffer from high unemployment—10 percent in South Carolina, one of the highest in the Nation. Marion County in South Carolina has 19 percent unemployment. The county has seen both textile and manufacturing jobs disappear, and this economic predicament is similar in much of the area covered by the commission.

As we have seen with ARC investments, investment in regional commissions can go toward area development and technical assistance goals such as increasing job opportunities, improving employability, and strengthening basic infrastructure.

The conventional wisdom among economists has long been that regional approaches can be valuable in addressing developmental situations that cannot be addressed simply through local policies. For example, to help people in one jurisdiction to find jobs, one may have to create jobs for them in a neighboring growth center.

In recent years regional approaches have gained greater support, hence the relative newness of the Southeast Crescent Regional Commission, in part because of increased global competition that rural communities face.

□ 2110

When people think of the First Congressional District that I represent, because we produce more steel in one congressional district than any State in the United States of America, they also miss the fact that one of the counties I have the privilege of representing has 9,000 people in it, another has 14,000 people, another has 23,000. There are

very rural areas that are also economically stressed and do not have those centers of gravity and need that type of tension to try to generate some new economic opportunity and jobs, which is why, just from my practical experience with the rural counties I have, I do believe it is important to continue to work with the commission; and that is why I do rise in opposition to the gentleman's amendment.

Mr. BROUN of Georgia. Will the gentleman yield?

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

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

Please tell me what this commission does. We've looked and looked, and we can't find a Web site for them. We can't find anything for them. This is my district, what we are talking about. I represent the northeast corner of the State of Georgia. In fact, we worked very strongly, my staff and I, with the Appalachian Regional Commission, the ARC, that the gentleman just mentioned. But we can't find even a Web site for this commission. And just having a commission for the sake of a commission, even though this would be considered a small amount of money, $250,000, to me is a lot of money. And if we add little bits of money together, after a while, then we get into bigger and bigger funds.

So I think we need to start looking at getting rid of duplicative commissions, duplicative functions of the Federal Government. And this is just one—because my staff and I looked to try to find what this commission does, what this $250,000 is expended on. We couldn't find it.

I'm for economic development. In fact, in those counties in northeast Georgia that I represent, we do have a tremendous unemployment rate. In some of those counties, we have 20, 25 percent, maybe even higher, underemployment and unemployment rates. So I am extremely, extremely cognizant of the need for developing jobs for these areas. But I'm also very cognizant that we are in an economic emergency as a Nation; and wherever we can save money, I would like to do so.

I don't know what this commission does. I can't find anything about it. So if the gentleman would please tell me, I would be eager to know.

Mr. VISCLOSKY. Well, if I could reclaim my time, relative to the gentleman's congressional district, I can't speak specifically, except to note, again, the commission is relatively new; the dollar amounts, relative to the Federal budget, are modest; and we're talking about seven States. Perhaps the real value here is that they are spread a bit thin and obviously do not have at this point in time a program in the gentleman's district.

But I don't think that that was warranted, given the breadth of their responsibilities over seven States, to argue against their demise. So, again, I would respectfully oppose the gentleman's amendment.

I yield back the balance of my time.

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

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

Mr. VISCLOSKY. 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 Georgia will be postponed.

The Clerk will read.

The Clerk read as follows:

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Regulatory Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, including official representation expenses (not to exceed $25,000), $1,027,240,000, to remain available until expended: *Provided*, That of the amount appropriated herein, not more than $7,500,000 may be made available for salaries and other support costs for the Office of the Commission: *Provided*, That of the amount appropriated herein, $10,000,000 shall be used to continue the Yucca Mountain license application, to be derived from the Nuclear Waste Fund: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at $890,713,000 in fiscal year 2012 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2012 so as to result in a final fiscal year 2012 appropriation estimated at not more than $136,527,000: *Provided further*, That of the amounts appropriated under this heading, $10,000,000 shall be for university research and development in areas relevant to their respective organization's mission, and $5,000,000 shall be for a Nuclear Science and Engineering Grant Program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $10,860,000, to remain available until expended: *Provided*, That revenues from licensing fees, inspection services, and other services and collections estimated at $9,774,000 in fiscal year 2012 shall be retained and be available until expended, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2012 so as to result in a final fiscal year 2012 appropriation estimated at not more than $1,086,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by section 5051 of Public Law 100–203, $3,400,000 to be derived from the Nuclear Waste Fund, and to remain available until expended.

OFFICE OF THE FEDERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS

For necessary expenses for the Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects pursuant to the Alaska Natural Gas Pipeline Act of 2004, $4,032,000: *Provided*, That any fees, charges, or commissions received pursuant to section 802 of Public Law 110–140 in fiscal year 2012 in excess of $4,683,000 shall not be available for obligation until appropriated in a subsequent Act of Congress.

GENERAL PROVISION, INDEPENDENT AGENCIES

SEC. 401. (a) None of the funds provided in this title for ''Nuclear Regulatory Commission—Salaries and Expenses'' shall be available for obligation or expenditure through a reprogramming of funds that ——

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

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

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

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

(b) The Chairman of the Nuclear Regulatory Commission may not terminate any project, program, or activity without the approval of a majority vote of the Commissioners of the Nuclear Regulatory Commission approving such action.

(c) The Nuclear Regulatory Commission may waive the restriction on reprogramming under subsection (a) on a case-by-case basis by certifying to the Committees on Appropriations of the House of Representatives and the Senate that such action is required to address national security or imminent risks to public safety. Each such waiver certification shall include a letter from the Chairman of the Commission that a majority of Commissioners of the Nuclear Regulatory Commission have voted and approved the reprogramming waiver certification.

(d) Except as provided in this section, the amounts made available for ''Nuclear Regulatory Commission—Salaries and Expenses'' shall be expended as authorized by law for the projects and activities specified in the text and table under that heading in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

TITLE V—EMERGENCY SUPPLEMENTAL FUNDING FOR DISASTER RELIEF

(INCLUDING RESCISSION AND TRANSFERS OF FUNDS)

SEC. 501. (a) Effective on the date of enactment of this Act, the unobligated balance of funds in excess of $1,028,684,400 made available for ''Department of Transportation—Federal Railroad Administration—Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service'' by title XII of Public Law 111–5 is hereby rescinded, and the remaining amount is hereby transferred to and merged with the following accounts of the Corps of Engineers—Civil in the following amounts for fiscal year 2011, to remain available until expended, for emergency expenses for repair of damage caused by the storm and flood events occurring in 2011:

(1) ''Construction'', $376,000.

(2) ''Mississippi River and Tributaries'', $589,505,000.

(3) ''Operation and Maintenance'', $204,927,000.

(4) ''Flood Control and Coastal Emergencies'', $233,876,400.

(b) With respect to each amount transferred in subsection (a), the Chief of Engineers, acting through the Assistant Secretary of the Army for Civil Works, shall provide, at a minimum, a weekly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of such amount, beginning not later than one week after the date of the enactment of this Act.

(c) Each amount transferred in subsection (a) is designated as an emergency pursuant to section 3(c)(1) of H. Res. 5 (112th Congress).

TITLE VI—GENERAL PROVISIONS

SEC. 601. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 602. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided, in this Act or any other appropriation Act.

SEC. 603. None of the funds appropriated or otherwise made available by 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. 604. None of the funds made available in this Act may be used to conduct closure of adjudicatory functions, technical review, or support activities associated with the Yucca Mountain geologic repository license application until the Nuclear Regulatory Commission reverses ASLB decision LBP-10-11, or for actions that irrevocably remove the possibility that Yucca Mountain may be a repository option in the future.

SEC. 605. None of the funds made available under this Act may be expended for any new hire by any Federal agency funded in this Act that is not verified through the E-Verify Program established under section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

SEC. 606. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal law within the preceding 24 months.

SEC. 607. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

SPENDING REDUCTION ACCOUNT

SEC. 608. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

Mr. FRELINGHUYSEN. 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. BROUN of Georgia) having assumed the chair, Mr. LUETKEMEYER, 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. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ELLISON (at the request of Ms. PELOSI) for today.

ADJOURNMENT

Mr. LUETKEMEYER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, July 14, 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:

2418. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Perishable Agricultural Commodities Act: Impact of Post-Default Agreements on Trust Protection Eligibility [Document Number: AMS-FV-09-0047] received June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2419. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-meghyl-2,4-pentanediol; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0330; FRL-8875-9] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2420. A letter from the Assistant Secretary, Navy, Department of Defense, transmitting the Secretary's certification that the full-up, system level Live Fire Test of the Mobile Landing Platform (MLP), an ACAT II program, would be unreasonably expensive and impracticable, pursuant to 10 U.S.C. 2366(c)(1); to the Committee on Armed Services.

2421. A letter from the Chairman and President, Export-Import Bank, transmitting the Bank's report on export credit competition and the Export-Import Bank of the United States for the period January 1, 2010 through December 31, 2010; to the Committee on Financial Services.

2422. A letter from the Chairman, Federal Reserve System, transmitting the System's annual report to the Congress on the Presidential $1 Coin Program, pursuant to 31 U.S.C. 5112 Public Law 109-145, section 104(3)(B); to the Committee on Financial Services.

2423. A letter from the Acting Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Race to the Top Fund [Docket ID: ED-2010-OESE-0005] (RIN: 1810-AB10) received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2424. A letter from the President, Independent Colleges and Universities of Florida, transmitting notice that the Independent Colleges and Universities of Florida are now in compliance with the Department of Educations's Rule on Program Integrity Issues; to the Committee on Education and the Workforce.

2425. A letter from the Administrator, Energy Information Administration, Department of Energy, transmitting the Administration's report entitled, ''Annual Energy Outlook 2011'', pursuant to 15 U.S.C. 790f(a)(1); to the Committee on Energy and Commerce.

2426. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's ''Major'' final rule — Energy Priorities and Allocations System Regulations (RIN: 1901-AB28) received June 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2427. A letter from the Secretary, Department of Health and Human Services, transmitting a report to Congress on Imported Food, pursuant to Public Law 110-85, section 1009; to the Committee on Energy and Commerce.

2428. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans, State of Louisiana [EPA-R06-OAR-2007-0924; FRL-9323-7] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2429. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Adoption of the Revised Nitrogen Dioxide Standard [EPA-R03-OAR-2011-0411; FRL-9321-5] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2430. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Georgia: Atlanta; Determination of Attainment for the 1997 8-Hour Ozone Standards [EPA-R04-OAR-2010-1036-201138; FRL-9322-4] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2431. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; South Carolina: Prevention of Significant Deterioration and Nonattainment New Source Review; Fine Particulate Matter and Nitrogen Oxides as a Precursor to Ozone [EPA-R04-OAR-2005-0004-2 1119; EPA-R04-OAR-2010-0958-201119; FRL-9322-6] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2432. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Idaho; Regional Haze State Implementation Plan and Interstate Transport Plan [EPA-R10-OAR-2010-1072; FRL-9321-4] received June 20, 2011,

pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2433. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Hazardous Waste Manifest Printing Specifications Correction Rule [EPA-HQ-RCRA-2001-0032; FRL-9321-8] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2434. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Mandatory Reporting of Greenhouse Gases: Additional Sources of Fluorinated GHGs: Extension of Best Available Monitoring Provisions for Electronics Manufacturing [EPA-HQ-OAR-2009-0927; FRL-9322-1] (RIN: A2060) received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2435. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Minnesota: Final Authorization of State Hazardous Waste Management Program Revison [FRL-9323-4] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2436. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Draft Safety Evaluation for Westinghouse Electric Company Topical Report WCAP-16865-P/WCAP-16865-NP, Revision 1, ''Westinghouse BWR Reactor ECCS Evaluation Model Updates: Supplement 4 to Code Description, Qualification and Application'' (TAC No. ME2901) received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2437. A letter from the Under Secretary, Department of Defense, transmitting report on proposed obligations of funds provided for the Cooperative Threat Reduction Program; to the Committee on Foreign Affairs.

2438. A letter from the Deputy Director, Department of Defense, transmitting Transmittal No. 11-25, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2439. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on progress toward a negotiated solution of the Cyprus question covering the period February 1, 2011 through March 31, 2011; to the Committee on Foreign Affairs.

2440. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-003, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2441. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-041, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2442. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Pub. L. 107-243), the Authorization for the Use of Force Against Iraq Resolution (Pub. L. 102-1), and in order to keep the Congress fully informed, a report prepared by the Department of State for the February 21, 2011 — April 20, 2011 reporting period including matters relating to post-liberation Iraq under Section 7 of the Iraq Liberation Act of 1998 (Pub. L. 105-338); to the Committee on Foreign Affairs.

2443. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's strategic plan for fiscal years 2011 through 2016 in compliance with the Government Performance and Results Act; to the Committee on Oversight and Government Reform.

2444. A letter from the Vice President and Controller, Federal Home Loan Bank Des Moines, transmitting the 2010 management report and statements on system of internal controls of the Federal Home Loan Bank of Des Moines, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2445. A letter from the Acting President and Chief Executive Officer, Federal Home Loan Bank Seattle, transmitting the 2010 management report and statements on the system of internal controls of the Federal Home Loan Bank of Seattle, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2446. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Indianapolis, transmitting the 2010 Statements on System of Internal Controls of the Federal Home Loan Bank of Indianapolis, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2447. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Prevailing Rate Systems; Abolishment of Cumberland, Maine, as a Nonappropriated Fund Federal Wage System Wage Area (RIN: 3206-AM38) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2448. A letter from the Branch of Recovery and Delisting, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Bull Trout in the Clackamas River Subbasin, Oregon [FWS-R1-ES-2009-0050] [RIN: 1018-AW60] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2449. A letter from the Assistant Secretary — Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Oil and Gas and Sulphur Operations in the Outer Continental Shelf-Civil Penalties [Docket ID: BOEM-2010-0070] (RIN: 1010-AD74) received June 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2450. A letter from the Chief, Endangered Species Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Tumbling Creek Cavesnail [Docket No.: FWS-R3-ES-2010-042] (RIN: 1018-AW90) received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2451. A letter from the Director, National Legislative Commission, American Legion, transmitting a copy of the Legion's financial statements as of December 31, 2010, pursuant to 36 U.S.C. 1101(4) and 1103; to the Committee on the Judiciary.

2452. A letter from the Attoney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Vessel Traffic Service Lower Mississippi River; Correction [Docket No.: USCG-1998-4399] (RIN: 1625-AA58) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2453. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Underwater Hazard, Gravesend Bay, Brooklyn, NY [Docket No.: USCG-2010-1091] (RIN: 1625-AA00) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2454. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ocean City Air Show, Atlantic Ocean, Ocean City, MD [Docket No.: USCG-2011-0391] (RIN: 1625-AA00) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2455. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's quarterly report to Congress on the Status of Significant Unresolved Issues with the Department of Energy's Design and Construction Projects (dated June 15, 2011); jointly to the Committees on Energy and Commerce and Armed Services.

2456. A letter from the Secretary, Department of Energy, transmitting a report detailing the reasons for accepting the Defense Nuclear Facilities Safety Board Recommendation 2010-2; jointly to the Committees on Energy and Commerce and Armed Services.

2457. A letter from the Chairman, Medicare Payment Advisory Commission, transmitting the June 2011 Report to Congress: Medicare and the Health Care Delivery System; jointly to the Committees on Energy and Commerce and 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:

[Omitted from the Record of June 24, 2011]

Mr. GRAVES of Missouri: Committee on Small Business. First Semiannual Report on the Activity of the Committee on Small Business for the 112th Congress (Rept. 112–146). Referred to the Committee of the Whole House on the State of the Union.

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. CAMPBELL (for himself and Mr. ACKERMAN):

H.R. 2508. A bill to extend through fiscal year 2013 the increase in the maximum original principal obligation of a mortgage that may be purchased by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation, and for other purposes; to the Committee on Financial Services.

By Mr. GARY G. MILLER of California:

H.R. 2509. A bill to improve upon certain provisions of the Truth in Lending Act related to the compensation of mortgage originators, and for other purposes; to the Committee on Financial Services.

By Ms. SUTTON (for herself, Mr. FITZPATRICK, and Mr. GENE GREEN of Texas):

H.R. 2510. A bill to amend title XVIII of the Social Security Act to provide for timely access to post-mastectomy items under Medicare; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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. GOODLATTE (for himself, Mr. NADLER, Mr. SENSENBRENNER, Mrs. MALONEY, Ms. LINDA T. SÁNCHEZ of California, Mr. COBLE, Mr. SCHIFF, Ms. JACKSON LEE of Texas, Ms. WATERS, Mr. ISSA, and Mr. RANGEL):

H.R. 2511. A bill to amend title 17, United States Code, to extend protection to fashion design, and for other purposes; to the Committee on the Judiciary.

By Mr. HECK (for himself and Ms. BERKLEY):

H.R. 2512. A bill to provide for the conveyance of certain Federal land in Clark County, Nevada, for the environmental remediation and reclamation of the Three Kids Mine Project Site, and for other purposes; to the Committee on Natural Resources.

By Ms. BALDWIN:

H.R. 2513. A bill to authorize grants to promote media literacy and youth empowerment programs, to authorize research on the role and impact of depictions of girls and women in the media, to provide for the establishment of a National Task Force on Girls and Women in the Media, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BISHOP of Utah (for himself, Mr. AKIN, Mr. BENISHEK, Mrs. BLACKBURN, Mr. CANSECO, Mr. CHAFFETZ, Mr. DUNCAN of South Carolina, Mr. HENSARLING, Mr. HERGER, Mr. HUIZENGA of Michigan, Mr. ISSA, Mr. JONES, Mr. KINGSTON, Mr. LAMBORN, Mr. LANKFORD, Mr. MANZULLO, Mr. MCHENRY, Mrs. MYRICK, Mr. PAUL, Mr. PITTS, Mr. RIGELL, Mr. ROGERS of Michigan, Mr. RYAN of Wisconsin, Mr. WILSON of South Carolina, Mr. LANDRY, Mr. CAMPBELL, and Mr. AUSTIN SCOTT of Georgia):

H.R. 2514. A bill to allow a State to combine certain funds and enter into a performance agreement with the Secretary of Education to improve the academic achievement of students; to the Committee on Education and the Workforce.

By Mr. BURGESS:

H.R. 2515. A bill to amend the Internal Revenue Code of 1986 to increase the dollar limitation on employer-provided group term life insurance that can be excluded from the gross income of the employee; to the Committee on Ways and Means.

By Mr. BURGESS:

H.R. 2516. A bill to amend the Internal Revenue Code of 1986 to provide for a waiver of minimum required distribution rules applicable to pension plans for 2011 and 2012; to the Committee on Ways and Means.

By Mr. CAPUANO (for himself, Mr. ACKERMAN, Mr. BLUMENAUER, Mr. BUTTERFIELD, Mr. COHEN, Mr. CONYERS, Mr. DEFAZIO, Ms. DELAURO, Ms. EDWARDS, Mr. ELLISON, Ms. ESHOO, Mr. FILNER, Mr. GRIJALVA, Mr. HEINRICH, Mr. HINCHEY, Ms. HIRONO, Mr. JACKSON of Illinois, Ms. KAPTUR, Mr. LARSON of Connecticut, Ms. LEE, Mr. LYNCH, Mrs. MALONEY, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MOORE, Mr. MORAN, Ms. NORTON, Mr. OLVER, Mr. PALLONE, Mr. PASCRELL, Ms. PINGREE of Maine, Mr. POLIS, Mr. RANGEL, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Mr. SARBANES, Ms. SLAUGHTER, Mr. STARK, Mr. TONKO, Ms. WATERS, Mr. WELCH, Ms. WOOLSEY, and Mr. YARMUTH):

H.R. 2517. A bill to amend the Securities Exchange Act of 1934 to require shareholder authorization before a public company may make certain political expenditures, and for other purposes; to the Committee on Financial Services.

By Mr. DAVIS of Illinois (for himself and Mr. SHIMKUS):

H.R. 2518. A bill to extend for 5 years the authorization of appropriations for the sickle cell disease prevention and treatment demonstration program; to the Committee on Energy and Commerce.

By Mr. FORTENBERRY:

H.R. 2519. A bill to amend the Child Soldiers Prevention Act of 2008 to prohibit peacekeeping operations assistance to countries that recruit and use child soldiers; to the Committee on Foreign Affairs.

By Ms. MATSUI:

H.R. 2520. A bill to require the Federal Communications Commission to modify its regulations to allow certain unlicensed use in the 5350-5470 MHz band and the 5850-5925 MHz band; to the Committee on Energy and Commerce.

By Mr. MORAN (for himself, Mr. HINCHEY, Mr. CONNOLLY of Virginia, Ms. NORTON, Mr. GEORGE MILLER of California, Ms. RICHARDSON, Mr. GRIJALVA, Ms. SCHAKOWSKY, Mrs. LOWEY, Mr. RUSH, Mrs. CAPPS, Mr. MCGOVERN, and Mr. PRICE of North Carolina):

H.R. 2521. A bill to reduce human exposure to endocrine-disrupting chemicals, and for other purposes; to the Committee on Energy and Commerce.

By Ms. ROYBAL-ALLARD:

H.R. 2522. A bill to amend titles XVIII and XIX of the Social Security Act to improve oversight of nursing facilities under the Medicare and Medicaid programs by preventing inappropriate influence over surveyors, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY:

H.R. 2523. A bill to assure that the services of a nonemergency department physician are available to hospital patients 24 hours a day, seven days a week in all non-Federal hospitals with at least 100 licensed beds; to the Committee on Energy and Commerce.

By Mr. SMITH of New Jersey (for himself and Mr. RUSH):

H.R. 2524. A bill to amend the Foreign Assistance Act of 1961 to improve access to microenterprise by the very poor, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WU:

H.R. 2525. A bill to amend the Trade Act of 1974 with respect to the trade adjustment assistance program, and for other purposes; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 2526. A bill to exempt National Forest System lands in Alaska from the Roadless Area Conservation Rule; to the Committee on Natural Resources.

By Mr. SCHRADER:

H.J. Res. 72. A joint resolution proposing an amendment to the Constitution of the United States giving Congress power to regulate campaign contributions for Federal elections; to the Committee on the Judiciary.

By Mr. CLEAVER (for himself, Ms. FUDGE, Mr. CLARKE of Michigan, Mr. CONYERS, Mr. LEWIS of Georgia, Ms. WILSON of Florida, Ms. WATERS, Ms. BASS of California, Mr. BISHOP of Georgia, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Ms. CLARKE of New York, Mr. CLAY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Ms. EDWARDS, Mr. ELLISON, Mr. FATTAH, Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Mr. JACKSON of Illinois, Ms. BROWN of Florida, Ms. JACKSON LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. LEE, Mr. MEEKS, Ms. MOORE, Ms. NORTON, Mrs. CHRISTENSEN, Mr. PAYNE, Mr. RANGEL, Ms. RICHARDSON, Mr. RICHMOND, Mr. RUSH, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Ms. SEWELL, Mr. TOWNS, Mr. WATT, Mr. WEST, Mr. CLYBURN, and Mr. THOMPSON of Mississippi):

H. Res. 348. A resolution expressing the sense of the House of Representatives that critical jobs legislation should be considered and passed to address the growing jobs crisis throughout America, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. MYRICK (for herself and Mr. COOPER):

H. Res. 349. A resolution amending the Rules of the House of Representatives to prevent duplicative and overlapping government programs; to the Committee on Rules.

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. CAMPBELL:

H.R. 2508.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution of the United States.

By Mr. GARY G. MILLER of California:

H.R. 2509.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. SUTTON:

H.R. 2510.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. GOODLATTE:

H.R. 2511.

Congress has the power to enact this legislation pursuant to the following:

Clause 8 of section 8 of Article I of the Constitution.

By Mr. HECK:

H.R. 2512.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. BALDWIN:

H.R. 2513.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. BISHOP of Utah:

H.R. 2514.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. BURGESS:

H.R. 2515.

Congress has the power to enact this legislation pursuant to the following:

The attached bill is constitutional under Article I, Section VIII: ''The Congress shall have Power To lay and collect Taxes''.

By Mr. BURGESS:

H.R. 2516.

Congress has the power to enact this legislation pursuant to the following:

The attached bill is constitutional under Article I, Section VIII: ''The Congress shall have Power To lay and collect Taxes''.

By Mr. CAPUANO:

H.R. 2517.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution: ''The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. DAVIS of Illinois:

H.R. 2518.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8, Clause 1. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. FORTENBERRY:

H.R. 2519.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Ms. MATSUI:

H.R. 2520.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 3

By Mr. MORAN:

H.R. 2521.

Congress has the power to enact this legislation pursuant to the following:

This Bill is enacted pursuant to Article I, Section 8 of the United States Constitution, which provides that the Congress shall have Power:

''To regulate Commerce . . . among the several States, and with the Indian Tribes;'' and

''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. ROYBAL-ALLARD:

H.R. 2522.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States of America.

By Ms. SCHAKOWSKY:

H.R. 2523.

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 (Clause 1), which says the Congress shall provide for the general Welfare of the United States.

By Mr. SMITH of New Jersey:

H.R. 2524.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8 of the Constitution.

By Mr. WU:

H.R. 2525.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. YOUNG of Alaska:

H.R. 2526.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 and Article 4, Section 3, Clause 2.

By Mr. SCHRADER:

H.J. Res. 72.

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 V of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 11: Mr. SCHIFF.

H.R. 49: Mr. CANSECO and Mr. HURT.

H.R. 58: Mr. HUNTER and Mr. GENE GREEN of Texas.

H.R. 96: Mr. FRELINGHUYSEN.

H.R. 104: Mr. STEARNS.

H.R. 178: Mr. HURT and Ms. LORETTA SANCHEZ of California.

H.R. 180: Mr. COBLE.

H.R. 181: Mr. CARSON of Indiana, Ms. ZOE LOFGREN of California, and Ms. LORETTA SANCHEZ of California.

H.R. 186: Ms. LORETTA SANCHEZ of California.

H.R. 198: Mr. BERMAN and Mr. MARINO.

H.R. 250: Mr. ROTHMAN of New Jersey.

H.R. 280: Mr. JONES.

H.R. 282: Mr. JONES.

H.R. 371: Mr. BISHOP of Utah, Mr. NUNNELEE, Mr. ADERHOLT, Mr. CARTER, Mr. HALL, Mr. SAM JOHNSON of Texas, Mr. KINGSTON, Mr. MCCAUL, Mr. WOMACK, Mrs. BACHMANN, Mr. BILIRAKIS, Mrs. ELLMERS, Mr. FINCHER, Mr. FORBES, Ms. HAYWORTH, Mr. HUNTER, Mr. LANKFORD, Mr. DANIEL E. LUNGREN of California, Mrs. NOEM, Mr. ROONEY, Mr. SCHOCK, Mr. THOMPSON of Pennsylvania, Mr. THORNBERRY, Mr. TIPTON, Mr. WEST, Mr. DUNCAN of South Carolina, Mr. BONNER, Mr. BRADY of Texas, Mr. CAMPBELL, Mr. COBLE, Mr. CULBERSON, Mr. GOWDY, Mr. GRAVES of Missouri, Mr. MCHENRY, Mr. JOHNSON of Ohio, Mr. LUCAS, Mr. MILLER of Florida, Mr. MANZULLO, Mr. PALAZZO, Mr. ROSKAM, Mr. RYAN of Wisconsin, Mr. SCOTT of South Carolina, and Mr. STIVERS.

H.R. 414: Ms. ESHOO.

H.R. 436: Mr. KELLY.

H.R. 520: Ms. PINGREE of Maine.

H.R. 607: Mr. BRALEY of Iowa.

H.R. 639: Ms. BALDWIN, Mr. BARLETTA, Mr. BILBRAY, Mr. BRADY of Pennsylvania, Mr. BUTTERFIELD, Mr. CHANDLER, Mr. COSTA, Ms. EDWARDS, Mrs. EMERSON, Mr. FATTAH, Mr. FORTENBERRY, Mr. AL GREEN of Texas, Mr. GUTIERREZ, Ms. HANABUSA, Mr. HEINRICH, Ms. HOCHUL, Mr. ISRAEL, Ms. JACKSON LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MOORE, Mr. QUIGLEY Mr. RENACCI, Mr. RIGELL, Mr. ROSS of Florida, Ms. SPEIER, and Mr. VAN HOLLEN.

H.R. 642: Mr. FRELINGHUYSEN.

H.R. 645: Mr. HUNTER and Mr. GENE GREEN of Texas.

H.R. 687: Mr. COHEN and Mr. CARSON of Indiana.

H.R. 711: Mr. COHEN.

H.R. 721: Mr. CRAWFORD and Mr. CARNAHAN.

H.R. 735: Mr. COLE.

H.R. 766: Mr. MCINTYRE.

H.R. 822: Mr. GARDNER and Mr. CASSIDY.

H.R. 831: Mr. HARPER.

H.R. 862: Ms. SPEIER, Mr. MCDERMOTT, and Mr. SARBANES.

H.R. 886: Mr COBLE, Mr. HURT, Mr. FRELINGHUYSEN, Mr. WEBSTER, Mr. GOODLATTE, Mr. LUCAS, Ms. WATERS, Mr. ROSS of Florida, Mr. CRAVAACK, and Mr. HULTGREN.

H.R. 952: Mr. PRICE of North Carolina.

H.R. 959: Ms. HOCHUL, Mr. KINZINGER of Illinois, and Mr. SCHOCK.

H.R. 1001: Mr. JOHNSON of Illinois.

H.R. 1058: Mr. RIVERA.

H.R. 1089: Mr. RUSH.

H.R. 1111: Mrs. LUMMIS.

H.R. 1116: Mr. NEAL.

H.R. 1195: Mr. GRIFFIN of Arkansas.

H.R. 1206: Mr. NEUGEBAUER.

H.R. 1283: Mr. COHEN.

H.R. 1299: Mr. BRADY of Texas and Mr. HUNTER.

H.R. 1311: Ms. WOOLSEY.

H.R. 1341: Mr. SOUTHERLAND.

H.R. 1366: Mr. HULTGREN.

H.R. 1370: Ms. JENKINS.

H.R. 1381: Mr. LEVIN.

H.R. 1386: Ms. ZOE LOFGREN of California.

H.R. 1465: Mr. BRADY of Pennsylvania, Mr. TOWNS, Ms. MOORE, and Mrs. CHRISTENSEN.

H.R. 1466: Mr. PALLONE.

H.R. 1479: Mr. BOUSTANY.

H.R. 1489: Mr. RANGEL.

H.R. 1505: Mr. MILLER of Florida.

H.R. 1523: Mr. BOSWELL.

H.R. 1558: Mr. PEARCE and Mr. GENE GREEN of Texas.

H.R. 1586: Mr. DUNCAN of South Carolina.

H.R. 1588: Mr. JOHNSON of Illinois.

H.R. 1635: Mr. STARK.

H.R. 1639: Mr. KING of Iowa.

H.R. 1653: Mr. PASCRELL.

H.R. 1656: Ms. PINGREE of Maine and Mr. SIRES.

H.R. 1686: Ms. SCHAKOWSKY.

H.R. 1699: Mr. HULTGREN.

H.R. 1704: Mr. CONNOLLY of Virginia and Ms. SUTTON.

H.R. 1718: Mr. STARK.

H.R. 1723: Mr: BENISHEK.

H.R. 1735: Ms. ZOE LOFGREN of California.

H.R. 1744: Mr. WESTMORELAND.

H.R. 1755: Mr. GALLEGLY and Mr. GRIFFIN of Arkansas.

H.R. 1156: Mr. STIVERS.

H.R. 1798: Mr. SCHOCK and Mr. MCHENRY.

H.R. 1802: Mr. GERLACH, Mr. NEAL, and Mr. RYAN of Ohio.

H.R. 1848: Mr. GOHMERT.

H.R. 1860: Ms. ZOE LOFGREN of California.

H.R. 1861: Mr. SCHOCK.

H.R. 1872: Mr. SOUTHERLAND.

H.R. 1876: Mr. BERMAN.

H.R. 1885: Mr. WALBERG.

H.R. 1897: Ms. VELÁZQUEZ and Mr. ACKERMAN.

H.R. 1912: Mr. COHEN.

H.R. 1951: Mr. PRICE of North Carolina and Mr. ROTHMAN of New Jersey.

H.R. 1978: Mr. NEAL.

H.R. 1983: Mr. GRIJALVA and Ms. ZOE LOFGREN of California.

H.R. 2000: Mr. HALL.

H.R. 2005: Ms. DELAURO.

H.R. 2010: Mr. GOODLATTE.

H.R. 2016: Ms. HIRONO and Mr. CRITZ.

H.R. 2032: Mr. LUETKEMEYER, Mr. SESSIONS, and Mr. NEUGEBAUER.

H.R. 2040: Mr. LONG.

H.R. 2107: Mr. LOEBSACK.

H.R. 2123: Mr. CONYERS.

H.R. 2139: Mr. ROE of Tennessee.

H.R. 2164: Mr. MCCLINTOCK, Mr. BURTON of Indiana, Mr. AKIN, Mr. SHIMKUS, Mr. PEARCE, and Mr. MCKEON.

H.R. 2172: Mr. SOUTHERLAND.

H.R. 2180: Mr. POLIS.

H.R. 2190: Ms. CASTOR of Florida.

H.1. 2245: Mr. CUMMINGS.

H.R. 2248: Mr. HINCHEY and Mr. MICHAUD.

H.R. 2250: Mr. WALDEN, Mr. MCKINLEY, Mr. LANDRY, and Mr. GIBSON.

H.R. 2273: Mr. MILLER of Florida, Mr. REHBERG, and Mr. COBLE.

H.R. 2281: Ms. MATSUI and Mr. DOYLE.

H.R. 2306: Mr. MCDERMOTT and Mr. ROHRABACHER.

H.R. 2313: Mr. CANSECO.

H.R. 2327: Mr. DENHAM.

H.R. 2360: Mr. SCALISE and Mr. LOBIONDO.

H.R. 2364: Mr. COURTNEY and Ms. RICHARDSON.

H.R. 2369: Ms. ESHOO, Mr. BURTON of Indiana, Mr. MEEHAN, Mr. PENCE, Mr. LOBIONDO,

Mr. SARBANES, Mr. KEATING, Mr. COSTELLO, Mr. PETERSON, Mr. INSLEE, Ms. SUTTON, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 2397: Mr. AUSTIN SCOTT of Georgia, Mr. KELLY, Mr. MARINO, Mr. BARLETTA, Mr. BENISHEK, Mr. YOUNG of Alaska, Mr. WALSH of Illinois, and Mr. KINZINGER of Illinois.

H.R. 2402: Mr. MCKINLEY, Mr. STEARNS, Mr. LONG, Mr. LOBIONDO, Mrs. NOEM, and Mr. TIPTON.

H.R. 2457: Mr. PENCE, Mr. FLEMING, and Mr. SCHWEIKERT.

H.R. 2458: Mr. LANKFORD and Mr. CHAFFETZ.

H.R. 2462: Mr. BACHUS, Mr. GARRETT, and Mr. CANSECO.

H.R. 2471: Ms. ZOE LOFGREN of California.

H.R. 2484: Mr. BARTLETT and Ms. CASTOR of Florida.

H.R. 2494: Mr. GRIMM.

H.R. 2497: Mr. KLINE.

H.R. 2499: Mr. GUTIERREZ, Mr. KING of New York, and Mr. GRIJALVA.

H.R. 2501: Mr. DEFAZIO and Ms. LEE.

H. Con. Res. 39: Mr. CHABOT, Mr. BILIRAKIS, and Mr. RIVERA.

H. Res. 60: Mr. MCKEON.

H. Res. 111: Mr. ROONEY and Mr. ROSS of Florida.

H. Res. 134: Mr. HULTGREN.

H. Res. 137: Mr. GRIMM.

H. Res. 317: Mrs. MCCARTHY of New York.

H. Res. 329: Mr. DENHAM and Mr. JOHNSON of Illinois.

H. Res. 342: Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mr. CLARKE of Michigan, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. DAVIS of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MEEKS, Ms. MOORE, Mr. RICHMOND, Mr. RUSH, Mr. DAVID SCOTT of Georgia, and Mr. THOMPSON of Mississippi.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1380: Mr. CASSIDY.

H. Res. 306: Ms. ROS-LEHTINEN.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2354

OFFERED BY: MR. REED

AMENDMENT NO. 69: Page 27, line 10, after the dollar amount, insert ''(increased by $41,000,000)''.

Page 32, line 4, after the dollar amount, insert ''(reduced by $21,000,000)''

Page 35, line 15, after the second dollar amount, insert ''(reduced by $20,000,000)''.

H.R. 2354

OFFERED BY: MR. BURGESS

AMENDMENT NO. 70: At the end of the bill, before the short title, insert the following new section:

SEC. ____. None of the funds made available in this Act may be used—

(1) to implement or enforce section 430.32(x) of title 10, Code of Federal Regulations; or

(2) to implement or enforce the standards established by the tables contained in section 325(i)(1)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6295(i)(1)(B)) with respect to BPAR incandescent reflector lamps, BR incandescent reflector lamps, and ER incandescent reflector lamps.

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 71: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act for ''Department of Energy—Energy Programs—Science'' may be used for the following programs, projects, or activities:

(1) Energy Innovation Hub for Batteries.

(2) Fuels from Sunlight Energy Hub.

(3) Biological and Environmental Research.

(4) Solar Electricity from Photovoltaics.

(5) Carbon Capture and Sequestration.

(6) Advanced Solid-State Lighting.

(7) Energy Efficient-Enabling Materials.

(8) Methane Hydrates.

(9) Undetermined Upgrades.

(10) Energy Systems Simulation—Internal Combustion Engine.

(11) Experimental Program to Stimulate Competitive Research.

(12) Physical Behaviors of Materials—Photovoltaics.

(13) Chemical Sciences, Biosciences and Geo Sciences—Solar Photochemistry.

(14) Chemical Sciences, Biosciences and Geo Sciences—Geosciences.

(15) Workforce Development.

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 72: At the end of the bill (before the short title), insert the following:

SEC. ____. The amount otherwise made available by this Act for ''Department of Energy—Energy Programs—Advanced Technology Vehicles Manufacturing Loan Program'' is hereby reduced to $0.

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 73: At the end of the bill (before the short title), insert the following:

SEC. ____. The amounts otherwise provided by this Act are revised by increasing the amount made available for the Spending Reduction Account, and by reducing the amount made available for ''Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy'', by $1,304,636,000.

H.R. 2354

OFFERED BY: MS. KAPTUR

AMENDMENT NO. 74: 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 Energy—Energy Programs—Departmental Administration'', by reducing the resulting final fiscal year 2012 appropriation specified under such heading, and by increasing the amount made available for ''Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy'' (except for Program Direction), by $10,000,000.

H.R. 2354

OFFERED BY: MR. YOUNG OF INDIANA

AMENDMENT NO. 75: Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used to pay the salaries of Department of Energy employees to carry out section 407 of division A of the American Recovery and Reinvestment Act of 2009.

H.R. 2354

OFFERED BY: MR. LANDRY

AMENDMENT NO. 76: 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 individuals appointed to their current position through, or otherwise carry out, paragraphs (1), (2), and (3) of section 5503(a) of title 5, United States Code.

H.R. 2354

OFFERED BY: MR. LUETKEMEYER

AMENDMENT NO. 77: 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 continue the study conducted by the Army Corps of Engineers pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007 or to implement activities proposed by such study.

H.R. 2354

OFFERED BY: MR. LUETKEMEYER

AMENDMENT NO. 78: 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 study of the Missouri River Projects authorized in section 108 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (division C of Public Law 111–8).

H.R. 2354

OFFERED BY: MR. SHERMAN

AMENDMENT NO. 79: Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used to fund any portion of the International activities at the Office of Energy Efficiency and Renewable Energy of the Department of Energy in China.

H.R. 2354

OFFERED BY: MR. CRAVAACK

AMENDMENT NO. 80: 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 develop or submit a proposal to expand the authorized uses of the Harbor Maintenance Trust Fund described in section 9505(c) of the Internal Revenue Code (26 U.S.C. 9505(c)).

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 81: At the end of the bill (before the short title), insert the following:

SEC. ____. The amount otherwise made available by this Act for ''Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy'' is hereby reduced to $0.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, WEDNESDAY, JULY 13, 2011 No. 104

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, our refuge and strength, our ever-present help in troubled times, we need You during this season of challenge. Our lawmakers need Your presence to help them build bridges that will keep our Nation strong and to forge alliances that will glorify You. Filled with Your wisdom, may our Senators find solutions to the complex problems we face.

With gratitude for all the blessings and benefits You generously bestow, help us to reveal our appreciation by living with honor. Keep us from taking for granted the faithful service of the many unsung heroes and heroines who support our Senators, and reward them for their willingness to make daily sacrifices for liberty. During this time of armed conflict, we also pray for our courageous men and women in harm's way.

We lift this prayer in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 13, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following any leader remarks, the Senate will resume consideration of S. 1323, which is a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit, with 1 hour of debate equally divided and controlled. The filing deadline for all second-degree amendments to S. 1323 is 10 a.m. this morning.

At approximately 10:40, there will be up to two rollcall votes. The first will be a motion to invoke cloture on S. 1323, the piece of legislation I just spoke about. The second rollcall vote will be on a motion to invoke cloture on the motion to proceed to the Military Construction, Veterans Affairs, and related agencies appropriations bill.

ECONOMIC TEAMWORK

Mr. REID. Madam President, sometimes it is very hard to find common ground in Washington. But there is one thing on which Republicans and Democrats agree: It is absolutely necessary that Congress prevent a catastrophic default on the Nation's debt that would put our economy at grave risk. I have said it, and so have my Republican colleagues.

The business community is shouting out very loudly the same thing. This week, business leaders wrote to Congress—in fact, it was yesterday—and the White House to ask us to put our differences aside and avert a default crisis before it is too late. Literally hundreds of CEOs, including executives of some of the Nation's largest companies and the most respected business groups, signed the letter—more than 300. They wrote, ''This is a risk our country must not take.'' They said that if we don't reach a deal soon, the stock market will be in ''disarray.'' We all know that. We all know we cannot afford to have our country crash. Our economy is already struggling to stay on course to recovery. The U.S. Chamber of Commerce president Tom Donahue, who signed the letter, also said earlier this week that a default would have ''dire consequences for our economy, our markets, and Main Street Americans.''

Business leaders are begging us to do something and to do it quickly. That is why I was shocked to hear the Speaker of the House say yesterday that averting a default crisis was President Obama's problem, not his. That is not what he said a few months ago when he urged us to ''deal like adults'' with the problem. It wasn't what he said when he voted to raise the debt ceiling seven times while George W. Bush was President, increasing the debt limit by $4 trillion. In fact, when the Speaker voted to increase the debt limit by nearly $1 trillion one time alone in 2003, he didn't demand that it be accompanied by massive spending cuts or any spending cuts. Instead, a Republican Congress approved hundreds of billions of dollars in tax cuts for the wealthy, which contributed to our massive debt, and they were all on borrowed money. All those massive tax

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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cuts people received around the country were on America's credit card that has now come due.

Congress has raised the debt limit 89 times since it was created in 1939—54 times with Republican Presidents and 35 times under Democratic Presidents. Ronald Reagan asked Congress to raise the limit 18 times—and we raised it—twice as many as any other President. Republicans never claimed then that the issue was the President's problem. For Republicans to claim now that the deficit is a problem only for the President or Democrats in Congress is irresponsible. It is even more irresponsible considering President Bush, with the help of Republicans here in Congress, doubled the debt while he was President. That is more debt accumulated than any President in history, by far.

This problem belongs to all of us in Congress, and it will take all of us working together—political parties aside—to make a deal possible. This is not money being borrowed to spend more money; it is money we need to raise the debt ceiling so we can pay the bills we have already accrued.

Democrats realize finding common ground isn't always easy. If it were, we would have hammered out an agreement a long time ago. But reducing the deficit and getting our fiscal house in order is too important to quit when the going gets tough.

Theodore Hesburgh, the famous president of the University of Notre Dame, said this about making difficult decisions:

> You don't make decisions because they are easy; you don't make them because they are cheap; you don't make them because they're popular; you make them because they're right.

It is time for Democrats and Republicans to get together to do what is right for our Nation. We simply cannot allow our country to fail to pay its bills for the first time in its history. I am confident we will find a way to get this done. The risks to our economy are too great not to.

I was happy to hear yesterday—I received a phone call from the Republican leader at 12:30 yesterday. He has come forward with a proposal to address the debt limit. I am studying it and discussing it with my Senators. I have another meeting at 11 o'clock. Senator MCCONNELL has spent a great deal of time working on this, and I commend him for his thoughtful and unique proposal. It is something we have to look at very closely. I am heartened by what I read. This is a serious proposal, and I commend the Republican leader for coming forward.

I believe the Republican leader's proposal, combined with ideas he and I have been discussing to force a vote on deficit-reduction proposals, could go a long way toward resolving the impasse in which we now find ourselves. We both agreed a long time ago that the problem is not the President's. It is our problem, it is every American's problem, and certainly it is the problem of every Member of Congress.

In the meantime, this afternoon congressional leaders will again meet with President Obama and his senior advisers to try to advance our discussions.

Democrats realize finding common ground isn't always easy. As I said before, if it were, we would have hammered out an agreement a long time ago. But I say again, reducing the deficit and getting our fiscal house in order is too important to quit when the going gets tough. I am confident that somehow, someway, we will find a way to get this done. We can't allow our country for the first time in its history to fail to pay its bills. The risks to our economy are far too great not to.

In that letter we received yesterday, American business leaders said it very well:

> Now is the time for our political leaders to put aside partisan differences and act in the Nation's best interests. It is time to pull together rather than pull apart.

So I urge my Republican colleagues to remember this: We are not opponents, squaring off across a baseball diamond or some playing field. We are on the same team with the same goal in mind. Let's take, for example, the baseball team I just talked about. If the catcher doesn't show up or refuses to play, it doesn't matter how good the pitcher is, it doesn't matter how good his curve is or how fast he can throw that ball, the team doesn't stand a chance without a catcher. A team is needed to accomplish the goals of a baseball team. We need a team to accomplish the goals this Congress has. It is time each and every one of us here in Congress remembered that. In the words of American business leaders, ''It's time to pull together rather than pull apart.''

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

SHARED SACRIFICE IN RESOLVING THE BUDGET DEFICIT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1323, which the clerk will report.

The assistant legislative clerk read as follows:

> A bill (S. 1323) to express the sense of the Senate on shared sacrifice in resolving the budget deficit.

Pending:

> Reid amendment No. 529, to change the enactment date.
> Reid amendment No. 530 (to amendment No. 529), of a perfecting nature.
> Reid motion to commit the bill to the Committee on Finance, with instructions, Reid amendment No. 531, of a perfecting nature.
> Reid amendment No. 532 (to the instructions (amendment No. 531) of the motion to commit), of a perfecting nature.
> Reid amendment No. 533 (to amendment No. 532), of a perfecting nature.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 1 hour of debate equally divided and controlled between the two leaders or their designees.

The Senator from Illinois.

Mr. DURBIN. Madam President, I rise to speak in morning business.

I wish to thank my colleague, the Democratic majority leader, for his opening remarks. He and I have been given an assignment of going to the White House each day to sit down with the leaders—Democratic and Republican leaders in the House and the Senate, as well as the President, Vice President, Secretary of the Treasury, and leaders in the President's staff—to deal with this pending crisis over the debt ceiling limit.

On August 2, we are required to extend the debt ceiling of the United States of America. It is an interesting exercise which usually goes unnoticed.

Senator JEFF BINGAMAN from New Mexico presented to us yesterday a history of the debt ceiling. I was glad to learn a little bit more. In 1939, we passed a law which said we could extend the debt ceiling of the United States as needed, rather than have congressional approval of every bond issued by the Government of the United States. It made it a much more efficient way for the government to operate. As Senator REID said earlier, since 1939, we have extended the debt ceiling 89 times, and on most every occasion it has gone unnoticed because the United States has quickly extended its debt ceiling and kept its credit rating in the eyes of the world because of our timeliness. There was only one exception—a technical lapse that led to perhaps an increase in costs of government for just a brief time—but by and large, on 88 occasions this was done without any fanfare or notice.

It is interesting to look at the Presidents who extended the debt ceiling. The alltime recordbreaker when it comes to extending the debt ceiling was Ronald Reagan, who extended the debt ceiling 18 times in a matter of 8 years. So more than twice a year, Congress was extending the debt ceiling as our national debt increased dramatically under President Reagan. The same thing happened under President Bush. He holds the record—the second highest record, I believe—with eight or nine extensions of the debt in his 8-year tenure as President. On both occasions, under President Reagan and under President George W. Bush, the debt of the United States increased dramatically.

As Senator REID said earlier, under President George W. Bush, the debt of the United States of America in 8 years nearly doubled. In fact, some say it more than doubled. This was a period of time when we were doing things that, frankly, cost us a lot of money in terms of our national expenditures.

President George W. Bush waged two wars without paying for them. When we do that, of course, the cost of the war is added to the Nation's debt. President George W. Bush also did

something no President had ever done: He cut taxes on American taxpayers in the midst of a war. Most Presidents understand we have to do just the opposite—we have to raise more money to wage a war because we have the ordinary costs of government that have to be met as well. So the idea of cutting taxes in the midst of a war added even more to the deficit under President George W. Bush. Then he had this theory that there were major programs we could enact and not pay for, such as Medicare prescription Part D.

All of these things accumulated together with the basic philosophy of the Republican Party that if we just keep cutting taxes, the economy will get well. It didn't happen. Just the opposite occurred. When President George W. Bush took office, our Nation's budget was in surplus. When he left office, it faced the largest deficit in its history. Instead of giving President Obama a positive economy when President Obama was sworn in as President, we were losing hundreds of thousands of jobs each month. Now we face a deadline of August 2 on whether we extend the debt ceiling.

I see the Republican leader has come to the floor. I commend him for what I consider to be a positive and thoughtful response. He understands, as most all of us do, that extending the debt ceiling is essential for the economy of the United States and for our recovery from this recession. I asked my staff what would happen—what would happen if we defaulted on our debt ceiling and didn't pay and interest rates went up 1 percent. They are around 2.8 percent, 2.9 percent now.

What if interest rates went up 1 percent because of this self-inflicted wound of a failure to extend the debt ceiling? The consequences are real, and not just for the government but for families and businesses across America. A 1-percent increase in the interest rate, if we would default and not extend our debt ceiling—here is what the Third Way reports: Treasury rates, if it increased 1 percent, would cause deficits to increase by $20 billion in the first year and by $150 billion in the outyears. In other words, the debt of the United States would increase by a dramatic amount.

Increased Treasury rates would cause the gross domestic product; that is, the economic activity of America, the sum total of our goods and services, to decrease by 1 percent, according to J.P. Morgan. That would cause the U.S. economy to lose 640,000 jobs. At a time when we are losing jobs in the public sector but gaining them in the private sector, the failure to extend the debt ceiling would, in fact, increase unemployment in America.

J.P. Morgan predicts that a 1-percent increase would cause a stock market loss of 9 percent. What does that mean to the savings and 401(k) plans of American families? They would lose, on average, $8,816—something no family would like to see. And raising mortgage rates by 1 percent would cause the typical mortgage to increase by somewhere in the range of $38,000—$38,000 in payments that need to be made.

So why would we inflict this wound on ourselves? As we sit with the President and try to find our way through this crisis, we should understand that as the business leaders reported to us yesterday, this would be a disaster—a self-imposed disaster, a failure of political leadership.

The President has called us together, and he has said: You are going to meet every single day until we get it done. That determination by the President is keeping us at the table and focusing us on the mission at hand.

I will tell you, I believe we can reduce this deficit if we are honest about the spending in Washington. To focus only on domestic discretionary spending—a part of the budget that has not increased in real dollar terms in the last 10 years—and to ignore the costs that are growing on the security side, the defense side, as well as the cost of entitlement programs, is not only being blinded to reality, it really means the cuts that are made in domestic discretionary spending are outrageously deep.

What we need to do, what the Bowles-Simpson commission told us needed to be done was painful but necessary: Put everything on the table—everything on the table. That means all spending, all entitlements, and revenue.

I find it hard to understand the Republican position that says we can impose new obligations on the families of children going to college to pay more for student loans but we cannot impose any additional burden on the wealthiest people in America to pay more taxes. To think that the George Bush tax cuts means that for a person making $1 million in income each year—that is $20,000 a week in income—to think that George Bush tax cut is worth $200,000 a year in tax cuts for a millionaire and that we would blithely hear from the other side that we should allow that to continue while asking everyone else in America to sacrifice is upside down.

It is instructive to me that, when asked, people across America believe we should put everything on the table, including taxes and revenue. We can do this.

The argument that this is the wrong time to raise taxes on anybody because of the state of the economy is not borne out by history. Whenever taxes have been increased in recent times, we have seen the opposite occur. If they are increased in a thoughtful way—not imposed on working and middle-income families and lower income groups—in fact, we have seen in the past that the economy has grown. It has not stopped us from growing.

We now have a top income tax rate of 35 percent. When it was over 39 percent under President Clinton, we had the fastest and most dynamic growth in our economy in modern time. There is no linkage between taxes on the wealthy and the growth of our economy other than the exact opposite of the Republican argument. Where taxes have been raised on higher income groups, we have actually seen our economy expand time and time and time again.

So I would hope we would have a balanced approach to dealing with this deficit and put everything on the table. I would hope that as we meet with the President, we get the job done. And we ought to do it soon. The longer we wait, the more the uncertainty, and it is not good for our economy in a world where we have a volatile economic situation, particularly in Europe. It is not good for job growth, where we know we desperately need to create more good-paying jobs right here in America. And it is certainly not good for our reputation in Congress. We were elected to lead, to make hard decisions. We have that opportunity, and we need to do it now.

Madam President, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

BALANCED BUDGET AMENDMENT

Mr. McCONNELL. Madam President, yesterday morning I came to the floor to announce my conclusion that, despite his repeated claims to the contrary, the President has no real intention of cutting spending or dealing with our deficits and debt. It has been my fervent hope that the President could be persuaded to view the upcoming debt limit vote as an opportunity—an opportunity—to change direction, to cut spending, to cut debt, and to preserve entitlement programs. But those hopes have evaporated as the President began to insist in recent weeks that he would only consider spending cuts later if Republicans agreed now to one of the biggest tax hikes in history. Republicans refused to be drawn into this legislative trap.

When Democrats proposed a smaller plan that they claimed, without any details, amounted to more than $1 trillion in cuts, we refused to go along again because we knew that it really did not cut $1 trillion. We refused to pretend that a bad idea was a good one. Our bottom line is this: The White House would have to prove that the cuts it was claiming to support were real and enforceable before Republicans would sign off on any plan to endorse them.

As it turned out, our skepticism was well founded.

Earlier this week, I asked an administration official point blank what the cuts they were proposing as part of their so-called bipartisan deal would amount to next year; that is, year 2012. He said they were talking about a $2 billion reduction—$2 billion—for next year. We will borrow more than $4 billion today. That, Madam President, is not a deal in which I am particularly

interested. This is what they were planning to spin as more than $1 trillion over 10 years. It was at that point that I realized the White House simply was not serious about cutting spending or debt. The only thing they were serious about was putting together a plan that appeared serious but really was not, and they wanted Republicans to go along with it. Well, we are not interested in playing that game.

In the end, the White House gave us three choices in exchange for a vote to increase the debt limit: a massive tax hike, smoke and mirrors, or default. And none of these options is acceptable. So yesterday I proposed a possible fourth option as a last resort if the President continues to shirk his duty to do something about our dire fiscal situation. If the White House continues to insist on either tax hikes or default, then we would send legislation to the President that requires him to propose spending cuts greater than the debt limit he requests; make the President show in black and white the specific cuts he claims to support. If he refuses, he will have to raise the debt ceiling on his own. But he is not going to get Republicans to go along with that. That way, the President cannot pretend to support cuts when he does not. He is forced to simply put up.

I understand the reluctance the American people have in concluding that a serious solution is not going to happen. I hope I am wrong. The idea of not doing something serious about the debt before August, frankly, sickens me. Like most Americans, I previously did not believe anyone in this country could seriously deny the need to rein in government spending. Like most Americans, I previously did not believe anyone could be so shortsighted as to propose massive tax hikes in a weakened economy. Like all of you, I did not think even the most liberal among us would go to such lengths to protect the expansion of government. I am sorry to report there are people who believe all of those things, and they currently reside right down at 1600 Pennsylvania Avenue. But Republicans refuse to let the President use the threat of a debt limit deadline to get us to cave on tax increases or on phony spending cuts that future Congresses could just as easily reverse with a single vote. We are not gambling our Nation's fiscal future on the promise of spending cuts tomorrow for tax hikes today.

It is time to change the conversation altogether. It is time to refocus this debate on the kinds of real cuts and debt reduction Americans are demanding of us. It is time to show there are two different versions of our Nation's future at work here. So over the next several days, Republicans will redouble our efforts to avoid all four scenarios. Americans do not want tax hikes, they do not want phony spending cuts, they do not want a debt disapproval plan, and they do not want us to default on our debts. They want real cuts and real reforms now, and that is what Republicans will spend the next 2 weeks fighting for—the one thing that will ensure that Washington gets its house in order and forces future Congresses to live within their means.

The time has come for a balanced budget amendment that forces Washington to balance its books. If these debt negotiations have convinced us of anything, it is that we cannot leave it to politicians in Washington to make the difficult decisions they need to to get our fiscal house in order. The balanced budget amendment will do that for them. Now is the moment. No more games. No more gimmicks. The Constitution must be amended to keep the government in check. We have tried persuasion. We have tried negotiations. We have tried elections. Nothing has worked. If the President will not do something about the debt, we will go around him and take it to the American people. We will have a real debate. Those who support endless spending and debt will vote against it. It is time we all stand up to be counted.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Madam President, I thank the Republican leader for his efforts in this regard. I know for a fact that Senator MCCONNELL and the leadership on our side hoped and believed it was possible to take advantage of the opportunity of the discussion over raising the debt limit to create a major alteration in our plan of spending in this country. It has been disappointing to not have been met halfway in that regard.

When Senator MCCONNELL was told the White House's plan included only a $2 billion cut next year in spending, I found it stunning. Our deficit this fiscal year will have added $1,500 billion to our debt. We are going to save $2 billion next year? This is not acceptable, and I am disappointed. I appreciate the Republican leader's efforts in that regard.

I would note, as to the discussion about that the war is causing our deficit, it has been expensive over 10 years. The war on terrorism, Iraq, and Afghanistan together have cost about $1.5 trillion. This next year, we are projecting a little over $100 billion to be spent. So I will just say that the amount of the deficit this one year will equal the cost of the Afghanistan and Iraq wars over 10 years. The deficit this year is $1,500 billion. The cost of the war this year is about $150 billion. It is about 10 percent of the deficit we are running this year. Although we hope to bring those numbers down and are already projecting next year those numbers to come down to closer to $100 billion from $150 billion, the cause of our deficit is not the war. It represents about 10 percent of the total deficit we are running this year. That is just a fact. That is what the numbers show.

One of the few things mandated for Congress to do every year is to pass a budget. According to the Congressional Budget Act, contained in the U.S. Code, signed into law in 1974, the Senate Budget Committee must produce a budget resolution by April 1 and adopt a conference agreement on that budget by April 15. Furthermore, a budget must include total levels of spending, expected revenue, and deficits for no less than 5 years, and frequently we do 10-year budgets.

Once a budget is in place, Congress is prohibited from passing legislation with spending that exceeds the levels that were in the budget—sort of like we do in our homes. In essence, a budget is both a concrete plan for the future, and an enforcement mechanism to help us stay within the limits we set, and to ensure honest accounting.

One of these enforcement mechanisms in the Budget Act as set forth in the code is a prohibition against the consideration of any appropriations bills in the absence of a budget. We should not move forward with spending bills until we have established a budget. How simple is that? That is why we are supposed to have it done by April 15, because the appropriations bills come along afterwards.

This is the essence of good government. We should not spend taxpayer dollars without a plan for how to officially allocate the dollars and in a way that maximizes the effectiveness of our spending and minimizes waste and abuse and fraud. We have too much of that in our government.

This point of order—and there is a point of order in the code—contained in section 303(c) of the Congressional Budget Act, once that point of order is raised, the legislation in question cannot move forward unless a majority of the Senators vote to waive the budget requirement that taxpayer money should not be appropriated without a budget—without a plan.

This is what the law dictates. I believe this is our responsibility as legislators and as Senators. This is what the organizational structure of this very Senate requires, and this is the duty the Democrat-led Senate has refused to fulfill for 805 days. Senate Democrats have failed to adopt a budget in more than 2 years, and this year they have refused to even produce a budget for public review. They claim they have one. They claim it does some good things, and they leak portions of it to the public and spin it as being a positive document. But when asked to produce it, they do not do so. When asked to have hearings on it, they do not do so.

If they are proud of it, if it will sustain public scrutiny, why do they not bring it forward? I have never imagined that I would serve 2 years in the Senate and now be ranking member of the Budget Committee, and we would not have a budget even presented. Today we are scheduled to vote on a motion to proceed to the Military Construction appropriations bill for fiscal year 2012, beginning October 1 of this year.

Regardless of my feelings about the legislation or my high admiration for

those who have worked on it, I think I have a responsibility, a duty, as ranking member of the Budget Committee during this time of extreme fiscal danger, the greatest debt we have ever seen, to oppose cloture on this measure and to raise the 303(c) point of order should cloture be invoked.

My objection does not mean I do not support the bill. To any who would suggest otherwise, let me say that this action is at its core a defense of our men and women in uniform. No one understands duty better than those who wear the uniform, and it is our duty to write a budget that sets priorities and ensures the needs of our troops are met. The military is a priority of the highest order. To protect that priority, we must have a budget, especially in these challenging economic times.

The Senate has failed those in uniform if it chooses political expedience over drafting a budget that includes a military spending plan. How can we protect the military from unwise cuts if spending plans are not even made public?

The only area of government significantly cut in the unseen Democratic budget proposal that I have referred to previously—that I have called a ''phantom budget''—appears to be the Pentagon's.

If we take the numbers that were leaked from their budget plan, it calls for $900 billion in cuts to the Pentagon, to the government, to the military. Well, if this is their plan we ought to know it. So I do not want to hear people say that I am objecting to the Military Construction bill because I do not appreciate the military, while the Democratic majority, who is producing this Military Construction bill, claim they have a budget that hammers the Defense Department by $900 billion.

Indeed, while that appears to be the plan, the budget submitted by President Obama earlier this year—not one produced by the Senate Democrats but the President's own budget—calls for a 9.5-percent increase in the Energy Department, a 10.5-percent increase for the Education Department, a 10.5-percent increase for the State Department, and a 60-percent increase for high-speed rail and the Transportation budget without money to fund it.

While they are proposing major cuts in defense, we have major plans on the table to increase spending next year when we are, again, going to run a $1 trillion-plus deficit. The authors of the Congressional Budget Act likely did not contemplate a future in which the governing party believes budgets are no longer necessary. That seems to be the case today. That is why I am also bringing forward legislation that will raise a 303(c) point of order threshold to 60 votes—no appropriations without a budget unless 60 Senators choose to waive that requirement. That is in the law.

We sometimes put requirements in the law. We do not have very good enforcement mechanisms. The danger we face from continuing to operate this government without a clear, concrete budget is simply too great. Admiral Mullen, the Chairman of the Joint Chiefs of Staff, warned that our Nation's debt is the gravest of all national security threats we face. It is so. We are reaching a point where our economy could enter into a financial crisis as a result of our national debt.

We owe it to the extraordinary men and women who serve this country to defend at home the way of life they have defended abroad. That means the Senate must confront the debt problem that threatens us with economic disaster. Already, as economists Rogoff and Reinhart demonstrated, we are losing at least 1 million jobs a year as a result of our high debt, which is now 95 percent of GDP and soon to be 100 percent of GDP.

In just a little over 2 months our Nation's gross debt will be as large as our entire economy and growing larger. This year we will take in $2.2 trillion, but we will spend $3.7 trillion. By the end of the first 3 years of the Obama administration, we will have accumulated $5 trillion in gross debt—new debt.

Over the next 10 years we are projected to spend $46 trillion, adding another $13 trillion to our national debt. That is 13,000 billion. The President proposed saving $2 billion next year. He proposes we increase taxes on corporate jets that over 10 years would save $3 billion, while he has a budget submitted to the Senate that would increase the debt by $13,000 billion over the next 10 years.

I do not defend corporate jets. We can eliminate that as far as I am concerned and change our whole tax structure, which needs simplifying and more integrity and more effectiveness in it. But that is not a responsible way for a leader to suggest that we are going to fix our debt problems—by changing the corporate tax rate for jets. No nation can sustain this level of debt, nor can any nation ever raise enough taxes to cover this level of spending. The course we are on is not merely unsustainable, it is unimaginable. The American people have every right to be angry with their Congress. We are sitting here running a government and borrowing 40 cents of every dollar we spend. They should be furious with us. It is unacceptable. It is unexplainable.

We spend and borrow all we can. That is the fact. There is only one sound answer: control spending and grow the economy, not tax it into submission. For Americans to regain prosperity, Washington must regain discipline. Hiking taxes to bail out the Washington spenders who have put us in debt by increasing domestic nondefense spending in the last 2 years—not war, not Social Security, I am talking about general expenditures of our government have gone up 24 percent in the last 2 years. They have run up huge debts, and now they want the American people to pay more so they can continue to spend at this irresponsible level. I say no to that. I am not for that.

Since the Democratic-led Senate last passed a budget, we have spent $7.3 trillion and increased the debt by $3.2 trillion. When President Obama took office the public debt of the United States was about $5.7 trillion. In 3 years we have added close to $4 trillion in debt. In 4 years President Obama's debt that he will have run up at this rate will be larger than the debt that has been accumulated in the entire history of America.

We are on an unsustainable course. This fiscal abandon has brought us to the brink of the debt ceiling that we have. We have a limit on how much debt we can run up statutorily. Yet, still, the Senate Democrats will not produce a budget, and the White House will not put together an honest plan with real spending cuts that they will stand behind and let people analyze and score. Just more gimmicks, tricks, and games. That is not acceptable. That is why we are in this fix today.

Majority Leader REID actually declared it would be ''foolish'' to have a budget—''foolish'' to have a budget. Would you tell a family who is having difficulty with their finances it is foolish to have a budget? Would you declare to a family who is running up credit card debt and 40 percent of what they are spending is put on a credit card every month that they should not have a budget?

The United States Code requires us to have a budget by April 15. It is easy to claim deficit reduction as a priority, but if our leaders were actually to put a plan on paper it would become all too clear that their real desire is for larger taxes and only meager cuts to spending. That is the truth. That will not get the job done. Numbers do not lie. Their rhetoric creates the appearance of savings, but those savings do not exist when you look at the numbers carefully.

But while the White House and Senate Democrats may think their strategy is clever, I do not think the American people should be amused. I do not think the American people are amused. Until the majority, who asked for the responsibility to lead this Senate—that is what they wanted. They have it. Until they allow this Chamber to adopt a badly needed budget, I am going to continue to raise points of order on appropriations bills.

Now more than ever, we should fulfill our legal duties, not shirk them. More than ever today we should. We were not elected to preside over the financial decline of this country. We were not elected to shut down the committees, deny them the right to function, to shut down debate or cede our constitutional responsibility to secret meetings and closed-door proceedings.

The debt limit is not only about fulfilling our obligation to creditors, it is about fulfilling our obligation to the all of the people we serve, good Americans. We owe them a Senate that

works, that works openly and tirelessly on their behalf, which casts votes on these important matters and has to respond and be accountable to the American people. We owe the people an honest, competent, limited, efficient government. We owe them a Senate that is worthy of their faith and trust.

We are not there. We are not fulfilling that responsibility. Therefore, I expect that I will object and raise a budget point of order against movement to the Military Construction bill.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota is recognized.

Mr. THUNE. Madam President, I want to echo some of the remarks made by my colleague from Alabama regarding a budget. He is the ranking Republican member on our side on the Budget Committee.

It is ironic that we are on the floor of the Senate this week, as we were last week, debating a nonbinding sense-of-the-Senate bill that states ''those earning $1 million or more per year make a more meaningful contribution to the deficit reduction effort.''

It doesn't specify what that is. It doesn't say there should be tax increases or spending cuts that should have an impact on these high-income earners. I echo what was stated by my colleague, which is that this is no substitute for a budget. Congress's job is to pass a budget. That is why we are here. That is why the taxpayers elected us. It is to set priorities and make decisions about where we are going to allocate their hard-earned tax dollars.

The Democrats have not passed a budget for 805 days. Now, this sense-of-the-Senate bill—which is vague, ambiguous, and meaningless—does not do anything to address the fiscal challenges our country faces or achieve any level of budgetary savings.

Mr. SESSIONS. Will the Senator yield for a question?

Mr. THUNE. I am happy to yield for a question.

Mr. SESSIONS. The Senator from South Dakota is an experienced member of the Budget Committee and a member of the leadership on the Republican side in the Senate. Isn't it true that we had more interest from Members wanting to join the Budget Committee this year, particularly new Members who had gotten elected and talked to their constituents about their fear of America's debt and they wanted to be on the Budget Committee, and only a few could be selected out of the group who wanted to be on it?

What has been the Senator's observation as to how they have reacted to the fact that no budget has been presented; that the committee has never met or even marked up and held hearings as the United States Code requires? Maybe the Senator can share how they feel about this.

Mr. THUNE. My colleague is absolutely right. There was tremendous interest this year. If we look at the last election, the 2010 election, a lot of the people who were elected in the House and Senate were elected because they ran on a message to their constituents of getting America's fiscal house in order, getting spending and debt under control.

Where does that start? It starts with a budget. So they got here and tried to get on the Senate Budget Committee. We have all these bright new Members of the Senate who have a lot to contribute and who have had no opportunity to do that because we haven't had a budget, a markup, and we haven't done the necessary things in order to move the budget process forward.

I am completely in agreement with the Senator from Alabama when it comes to what the priorities should be. It ought to be doing a budget that actually focuses on cutting spending and getting this debt under control.

I tried to offer an amendment to this nonbinding sense-of-the-Senate bill, but the majority is blocking amendments. That amendment would cut all nonsecurity discretionary spending for the current fiscal year by 2.5 percent. It is a nominal amount, I recognize that. It is not a big spending cut. It is a small haircut. It will not solve our problem. It would produce about $11 billion in savings from some of these accounts that have seen, as the Senator noted, extraordinary growth since 2008.

Spending has increased in the discretionary part of the budget by 24 percent in 2 years, when inflation was about 2 percent. The government was spending at a rate of 10 or 12 times the right of inflation. It is unsustainable.

We cannot argue to the American people with a straight face that that is the kind of spending that ought to be going on in Washington, DC. Because the amendments have been blocked, we are probably not going to have a chance to vote on that. But the amendment says: Let's cut by 2.5 percent the discretionary spending, given the fact that it has increased 24 percent in the last 2 years.

These accounts started to feel downward pressure when the continuing resolution passed earlier this year, but more needs to be done. We need to put pressure on the spending side of the equation, not the tax side. All of my Republican colleagues have said it multiple times, but I think it bears repeating and explaining that our problem in Washington isn't that Washington taxes too little; it is that it spends too much. That is true.

Revenues are below their historical average, but spending is dramatically higher than its historical average. The reason we have revenues that are lower than the historical average is because we have an anemic economic recovery. If we get the economy growing and expanding and creating jobs again, we will start to see some of the tax revenue pick up. Just as a point of fact, in 2006 and 2007, we had a very similar income tax system to what we have today. At that time it raised more revenue than our historical average. Our historical average is around 18 percent of our entire economy—what we raise in tax revenues. In 2006 and 2007, in the Tax Code, the rates were similar to today. We have exceeded the average.

The issue is not that we have too little revenue in Washington, not that Washington taxes too little; it spends too much. Once the economy starts to turn around, we know we are going to be raising a substantial and sufficient amount of revenue without having to resort to tax increases. In fact, if we were to enact tax reform that was revenue neutral—and by that I mean it doesn't generate more revenue for Washington to spend—but if we were to lower the rates on people and businesses and broaden the tax base, our economy would grow and expand dramatically, and we would see even more revenue generated for the Federal Government and more jobs created, which is what everybody wants to see. We should not, however, simply increase taxes to pay for ever-increasing spending for programs that aren't sustainable.

This year Federal government spending will comprise 24.3 percent of our Nation's entire economic output. So almost a quarter of every dollar spent in this country will be spent by the Federal Government. That doesn't take into consideration spending by State and local governments. But it is 18 percent more than our historical average. We spend about 20.6 percent, historically, of our entire economy on the Federal Government. This year it is 24.3 percent. We are almost at a quarter out of every dollar being spent by our Federal Government in Washington, DC.

What happens? That means there is less activity in the private economy, which is where the real jobs are created. When the Federal Government is spending this much and borrowing this much, it crowds out private investment and makes it difficult for the private economy to create jobs that are permanent, good-paying jobs for the people of this country.

Perhaps an even more pertinent statistic is the years in which our budget has been balanced since 1969. These budgets were balanced because spending was constrained. If we look at the 5 years when the budget was balanced, the Federal Government's spending in those 5 years comprises just under 18.7 percent of our GDP, our economic output. So if we look at the problem that we are trying to diagnose in this country, our colleagues on the other side diagnose it as a revenue problem. I submit that the problem we are trying to solve is fundamentally a spending problem. Five times, when the budget was balanced since 1969, in every instance it was because we were spending less than the historical average.

This year's spending is over 30 percent more than the years in which we

balanced the budget; that is, as a percentage of our entire economy. That is how much higher it is than the years in which we balanced our budget. That is how much and how fast government spending is growing. Unfortunately, it remains above the historical average every year in the President's budget. He submitted a budget that borrows more, spends more, and taxes more. I can't think of a worse way to get out of an economic downturn and start creating jobs than to continue to spend at this uncontrollable rate, to continue to borrow more and more money, and impose higher taxes on an American economy that is already struggling.

After 2018, according to the President's budget, spending increases every single year. That is a spending problem; that is not a revenue problem. Despite that, the administration wants to take what they call a ''balanced approach'' and to have shared sacrifice.

Only in Washington, DC, would spending more and taxing more be considered a balanced approach. Only in Washington would shared sacrifice mean taking more of taxpayers' hard-earned money to spend on the administration's priorities.

To put a fine point on that, this week, the President said he would ''rather be talking about things that everyone wants, like new programs.'' This is code for: I need more of your money so I can spend more.

I reject that notion. We don't need more spending in Washington, DC. We don't need more programs. We don't need to expand government. Government is too big already, at 25 percent of our entire economy.

Let's pretend for a minute that deficit reduction really was the President's priority. What has happened in the past with these ''balanced budget'' deals? In 1990 the budget agreement reached by President Bush at Andrews Air Force Base was supposed to have spending cuts that outnumbered tax increases by a 2-to-1 margin. Spending was supposed to be cut by $274 billion, and taxes were going to be increased by $137 billion.

What actually happened? Tax hikes certainly materialized, but the reality is that spending actually increased. So in the 1990 ''balanced'' budget approach, we got increased spending and increased taxes. In 1982, under President Reagan, the exact same thing happened.

Madam President, I simply say to my colleagues that this is fundamentally a debate about the size of our government. We believe in a debt crisis we ought to make government smaller, not larger, and not create more programs. Our colleagues on the other side have a different view. We ought to be talking about what we can do to get people in this country back to work and small businesses hiring.

There was a Chamber of Commerce survey that said 64 percent of small businesses will not add to their payrolls this year, and 12 percent will cut jobs. Why? Because of the economic uncertainty created in Washington and because we are unwilling to deal with the spending and debt issue that is in front of us and to put policies into place that will enable job creation and economic growth.

I hope my colleagues will work with us to reduce the size of government, not grow it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. SCHUMER. Madam President, how much time remains?

The ACTING PRESIDENT pro tempore. On the Democratic side, 15 minutes remains, and there is no time on the Republican side.

Mr. SCHUMER. Madam President, I rise to speak about the budget and deficit issues that are facing us. The first point, which is becoming clearer and clearer to the American people, is how bad a default would be.

The bottom line is very simple: America has never defaulted on its debt—nor should any country, particularly the greatest country in the world—debt that is a promise of expenditures that have already been made. When we raise the debt ceiling, we are simply saying we are going to pay our bills.

The bottom line is that every family in America has to do that. If you own a mortgage, you can't say, after you have signed the mortgage and lived in the house: I am not going to pay my mortgage unless ABC happens.

If you have credit card debt and you have incurred significant debt, you can't say to the credit card company: I am not going to pay that debt unless you do ABC.

Yet some of our colleagues on the other side—and particularly in the House of Representatives—seem to say that. It would lead to disaster. It would lead to disaster for the government. In August America has $306 billion—this government, this Federal Government, has $306 billion in obligations and $172 billion in income. If we don't raise the debt ceiling, we are going to have awful choices: Do we pay the Social Security recipients and not the veterans? Do we pay the veterans and not those to whom we owe money? Do we say we will pay veterans but not pay people who inspect food or guard our borders? The choices are awful, and choices the American people should not have foisted on them by an irresponsible Congress that says we will not raise the debt ceiling.

It will also hurt American homeowners and debtors. If you are a mortgagor, your debt will go up. If you have a variable-rate mortgage, and we don't raise the debt ceiling, you will pay perhaps hundreds of dollars more each month. If you have credit card debt, which most Americans have, the rates are likely to go up.

Overall, at a time when we need jobs and the economy is so precarious, it could send us back into a recession and perhaps even worse, according to some economists. So not raising the debt ceiling and defaulting on our debt is not an option.

Yesterday, Senator MCCONNELL realized that. The substantive good news here is that the plan MITCH MCCONNELL offered, for all its faults, makes the likelihood of our not paying our bills, of not raising the debt ceiling less likely. However, the plan has a good deal of fault to it. It seems to be a political document. It says what we care most about is two things: It says we want to throw the responsibility of raising the debt ceiling to the other side, and it says the Republican Party cares more about preserving tax breaks for the wealthy and corporate America than actually bringing down our debt.

All the talk about deficit reduction, all the talk about getting a handle on our debt has been thrown to the wind, all in an effort to say: We know if we raise the debt ceiling there will be trouble. Senator MCCONNELL is well aware—he is very smart when it comes to the politics of it—that had the debt ceiling not been raised, the blame would have fallen on the party that has been saying they don't care about raising the debt ceiling.

Hundreds of members of the Republican Party throughout the country—scores in this Congress both in this House and the other—have said: We are not going to raise the debt ceiling. Senator MCCONNELL, realizing the consequences of doing that would fall on the party that doesn't believe it is important to do so, had to act. But at the end of the day, where is the debt reduction? Where is the deficit reduction we have heard about in speech after speech after speech from the other side?

The bottom line is very simple: Again, when President Obama offered a plan that would remove tax breaks from the rich, that would close corporate loopholes, the other side said: We can't tolerate that, even if it means debt reduction. The McConnell plan shows what the other party, the other side of the aisle, cares about: preserving tax breaks for the rich and preserving corporate loopholes much more than reducing our deficit and bringing down our debt.

Having said that, as I said, Senator MCCONNELL has at least recognized, even if partially politically, the gravity of the situation, and he joins the other leaders in Washington in doing that. President Obama has as well, and that is why he put out his $4 trillion plan. Speaker BOEHNER has also. That is why he was willing to entertain—until the rug was pulled out from under him—a big plan. Leader REID and Leader PELOSI have constantly talked about their views and ways we can reduce the deficit and avoid default. There is only one person who hasn't come up with a plan, who hasn't compromised, and who hasn't reached out to the other side in an effort to move forward, and that is the majority leader in the House, Mr. CANTOR. He is the only one

who still says: My way or the highway. Every other leader has said they are willing to make certain concessions—even though they do not like them—to avoid default.

The Nation, and, of course, this Congress is waiting for Leader CANTOR to step to the plate in a similar way so that maybe we can come to a compromise that actually avoids default and, at the same time, gets a handle on the debt and deficit problems and reduces both of those.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NELSON of Florida. Madam President, I know we have a vote that is coming up momentarily, but I just wanted to say my wish for those folks who are huddling up down at the White House every day: Don't miss this opportunity for a grand bargain to do something serious about deficit reduction. That is why I am concerned about Senator MCCONNELL's proposal because it would take us off that practice.

When they look at that real opportunity for $4 trillion of deficit reduction, they ought to look at the proposal of the Senate Budget Committee—$4 trillion, $2 trillion of which over 10 years comes out of the $14 trillion of the tax expenditures—or tax preferences that special interests have. We would only have to take from 9 to 17 percent of all that $14 trillion of tax preferences in order to produce the $2 trillion of revenue over 10 years.

I have just put that issue to a panel of experts in a joint Ways and Means-Finance Committee meeting as to what they would recommend, and I will talk about that later today.

With that, I yield the floor.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that all time be yielded back.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 1323, a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit.

Harry Reid, Richard J. Durbin, Patty Murray, Daniel K. Inouye, Christopher A. Coons, Sheldon Whitehouse, Barbara Boxer, Robert P. Casey, Jr., Bernard Sanders, Frank R. Lautenberg, Sherrod Brown, Jack Reed, Dianne Feinstein, Jeff Merkley, Benjamin L. Cardin, Carl Levin, Charles E. Schumer.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 1323, a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 51, nays 49, as follows:

[Rollcall Vote No. 108 Leg.]

YEAS—51

Akaka	Gillibrand	Mikulski
Baucus	Hagan	Murray
Begich	Harkin	Nelson (FL)
Bennet	Inouye	Reed
Bingaman	Johnson (SD)	Reid
Blumenthal	Kerry	Rockefeller
Boxer	Klobuchar	Sanders
Brown (OH)	Kohl	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Coons	Manchin	Warner
Durbin	McCaskill	Webb
Feinstein	Menendez	Whitehouse
Franken	Merkley	Wyden

NAYS—49

Alexander	Graham	Murkowski
Ayotte	Grassley	Nelson (NE)
Barrasso	Hatch	Paul
Blunt	Heller	Portman
Boozman	Hoeven	Pryor
Brown (MA)	Hutchison	Risch
Burr	Inhofe	Roberts
Chambliss	Isakson	Rubio
Coats	Johanns	Sessions
Coburn	Johnson (WI)	Shelby
Cochran	Kirk	Snowe
Collins	Kyl	Thune
Corker	Lee	Toomey
Cornyn	Lugar	Vitter
Crapo	McCain	Wicker
DeMint	McConnell	
Enzi	Moran	

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 51, the nays are 49. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

MAKING APPROPRIATIONS FOR MILITARY CONSTRUCTION, THE DEPARTMENT OF VETERANS AFFAIRS, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012—MOTION TO PROCEED

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 91, H.R. 2055, an act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

Harry Reid, Richard J. Durbin, Patty Murray, Daniel K. Inouye, Christopher A. Coons, Sheldon Whitehouse, Barbara Boxer, Robert P. Casey, Jr., Tim Johnson, Frank R. Lautenberg, Sherrod Brown, Jack Reed, Dianne Feinstein, Jeff Merkley, Benjamin L. Cardin, Mark L. Pryor, Carl Levin, Charles E. Schumer.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 2055, an act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 89, nays 11, as follows:

[Rollcall Vote No. 109 Leg.]

YEAS—89

Akaka	Franken	Merkley
Alexander	Gillibrand	Mikulski
Ayotte	Graham	Moran
Barrasso	Hagan	Murkowski
Baucus	Harkin	Murray
Begich	Hatch	Nelson (NE)
Bennet	Heller	Nelson (FL)
Bingaman	Hoeven	Portman
Blumenthal	Hutchison	Pryor
Blunt	Inhofe	Reed
Boozman	Inouye	Reid
Boxer	Isakson	Risch
Brown (MA)	Johanns	Roberts
Brown (OH)	Johnson (SD)	Rockefeller
Burr	Kerry	Sanders
Cantwell	Kirk	Schumer
Cardin	Klobuchar	Shaheen
Carper	Kohl	Shelby
Casey	Kyl	Snowe
Chambliss	Landrieu	Stabenow
Coats	Lautenberg	Tester
Coburn	Leahy	Thune
Cochran	Levin	Udall (CO)
Collins	Lieberman	Udall (NM)
Conrad	Lugar	Warner
Coons	Manchin	Webb
Crapo	McCain	Whitehouse
Durbin	McCaskill	Wicker
Enzi	McConnell	Wyden
Feinstein	Menendez	

NAYS—11

Corker	Johnson (WI)	Sessions
Cornyn	Lee	Toomey
DeMint	Paul	Vitter
Grassley	Rubio	

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 89, the nays are 11. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader.

Mr. REID. Madam President, I would hope following the Republicans' luncheon they will allow us to move to this bill. Senator JOHNSON and staff are ready to move forward on this legislation. We would hope after the luncheon they would allow us to be on it. So it would be open for amendment. There are lots of spots open for people to offer amendments. This would be our first appropriations bill. I think it would be, especially in that we are working on these budgets, deficit-reduction programs right now here and at the White House, a good message to everybody

that we can do an appropriations bill and stay within our legislative framework as far as spending.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I also ask unanimous consent to speak as in morning business for—well, it will not be 20 minutes but let me ask for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATE OF THE OCEAN

Mr. WHITEHOUSE. Mr. President, nothing is more important in the short term than resolving our debt limit impasse, and I would urge my colleagues to take Social Security out of their gun sights. It has not contributed to our debt or deficits.

I would urge my colleagues to focus not on Medicare benefit cuts but, rather, on health care system reforms that will save not only Medicare and Medicaid costs but private health care and health insurance costs as well—cost savings throughout the system. I would urge my colleagues to yield a bit on defending every tax loophole, every tax gimmick and tax preference as if they were tax hikes. They are not. They are just not. They are earmarks in the Tax Code. They are special benefits in which ordinary Americans usually do not share, and we should not put the special interests first, ahead of ordinary Americans who did not get special tax deals.

But as important as all of that is in the short term, there are some things that are more important in the long term than our debt limit, and I rise to speak about one.

In April of this year a group of scientific experts came together to discuss an issue with consequences that will influence the planet and our American society for generations to come. They met at the University of Oxford to discuss the current state, and eventual fate, of our oceans. ''The ocean,'' as stated in the workshop's summary report, ''is the largest ecosystem on Earth, supports us and maintains our world in a habitable condition.''

For 3 days, 27 scientists representing 18 prominent research and conservation organizations worldwide, reviewed the latest findings on ocean stressors—and in particular the consequences of multiple, combined stressors—for marine life and for the human population. The scientists found that stressors in combination magnify the negative effect of each one occurring alone.

Based on this determination, the scientists at this meeting concluded:

> We have underestimated the overall risks and that the whole of marine degradation is greater than the sum of its parts, and that degradation is now happening at a faster rate than predicted.

In short, things for the ocean are worse than we thought and getting worse faster than expected.

All too often, we take for granted the fact that our oceans feed us, support our coastal communities, and drive our tourism economies. Unfortunately, these ocean ecosystems are severely stressed, from nutrient pollution, chemical dumping, overfishing, marine debris, invasions of exotic species, warming waters and, perhaps most alarming, a drop in ocean pH to levels not seen for more than 8,000 centuries: acidification of our oceans. Individually, these stressors would be cause for concern. In combination with each other, this expert group of scientists concluded, they are driving our ocean toward the brink of a mass extinction and ecosystem collapse.

One example of the multiplier effect on marine life comes from plastic debris and toxic chemicals. Plastics make their way as trash into the ocean where they break down into small particles that are consumed by marine life, like sea turtles, sea birds, and microscopic plankton. Consumption of plastic alone becomes fatal for marine life, when they consume so much indigestible material that they stop eating all together and starve to death. But the surfaces of plastic particles also easily absorb chemical pollutants, so they amplify the load of chemical pollution on these creatures.

The levels of chemical pollution are themselves on the rise in even the most remote seas where no human development exists. Many of these chemical pollutants, like flame retardants and fluorinated compounds are poured down home sinks, or expelled as waste from industrial facilities, directly into the ocean. Plants and animals have not evolved ways to break down these new synthetic compounds, so they ''bioaccumulate,'' meaning they become increasingly concentrated as they are passed up the food chain, or passed in marine mammals from mothers to calves in their milk, until many of our top oceanic predators, our most majestic creatures, are now swimming toxic waste.

Another example of what the scientists call ''negatively synergistic'' environmental harms is the combination of destructive fishing practices, nutrient runoff, and the presence of hormone-disrupting pharmaceuticals in our wastewater on coral reefs. But now, these precious ecosystems, known as the rainforests of the sea, do not have to just contend with overfishing, nutrient, and wastewater pollution. Now the reefs, like the mangroves, salt marsh estuaries, and seagrass meadows, in their damaged and less resilient state, must also face a rapidly changing climate and its dual effects of ocean warming and acidification. Coral reefs are more likely to bleach when exposed to both increased temperature and acidification than if they are exposed to either condition separately.

Add both conditions to pre-existing stressors, and 35 percent of the world's reefs are classified as in a critical or threatened stage. Scientific projections indicate that without urgent action, coral reef ecosystems could be eliminated in 30–50 years.

The death and decline of coral reefs, the most diverse ecosystems on the planet, dramatically impairs the reproduction and development of hundreds of other species that call them home. When a reef ecosystem collapses and does not recover, it quickly becomes dominated by algae, and the phenomenal biodiversity once present disappears. For human society, this is accompanied by a loss of food, loss of income, and damage to the billion-dollar per year tourist industries.

The workshop report echoes the overwhelming body of peer-reviewed science and literature on climate change and carbon pollution, stating that:

> Human actions have resulted in warming and acidification of the oceans and are now causing increased hypoxia (lack of oxygen). Studies of the Earth's past indicate that these are the three symptoms . . . associated with each of the previous five mass extinctions on Earth.

We are now talking about changes whose precedents can only be found in geologic time. I have often said how we have veered outside of the bandwidth of carbon concentration that has prevailed for 800,000 years. This comparison is to mass ocean extinction events 55 and 251 million years ago. Back then, the rates of carbon entering the atmosphere in the lead-up to these extinctions are estimated to be 2.2 and 1.2 gigatons of carbon per year, respectively, over several thousand years. But, as this new report identifies, ''Both these estimates are dwarfed in comparison to today's emissions of roughly 30 Gt of CO_2 per year.'' Such a massive dumping of carbon pollution into our atmosphere creates the prospect of devastating damage to our oceans.

And, in fact, we may already be witnessing this devastation. In one breathtaking part of the report, the scientists remark that, ''The speeds of many negative changes to the ocean are near to or are tracking the worst-case scenarios from the IPCC and other predictions.'' The IPCC, or Intergovernmental Panel on Climate Change, created several scenarios predicting how the Earth's natural systems could respond to ever-increasing amounts of carbon dioxide in the atmosphere. This report says observations are worse than the IPCC's worse case scenarios. The predictions of the IPCC have received a lot of special-interest-sponsored mockery on this floor, but these are not predictions now, they are observations. For instance, the decrease in Arctic Sea ice cover and the melting of the Greenland and Antarctic ice sheets, which hold enough water to

raise sea levels by more than 200 ft, are actually occurring, and faster than expected. Correspondingly, sea levels are rising.

Likewise, the report observes that ''acidification is occurring faster than in the past 55 million years, and with the added man-made stressors of overfishing and pollution undermining ocean resilience.''

These observations should be sobering. Not only are the changes great, but they are happening so quickly that marine life cannot adapt.

Numerically, the average ocean pH has decreased from 8.2 to 8.1 since the industrialized revolution. This seems like a small change, but the pH scale is logarithmic, so the change is profound. If that same amount of change in pH occurred in our blood, we could suffer respiratory or kidney failure. It is not difficult to imagine how this change has huge consequences for marine life and especially the calcifying organisms, like coral reefs, shellfish, and plankton, which are increasingly becoming soluble in their environment as it becomes increasingly acidic. If this unprecedented rate of change in ocean pH continues it could mean an almost 200 percent decrease by mid century. It is not an exaggeration to say that we are on the verge of an ecosystem collapse that we could see happen in a single generation.

Though mass extinction events have occurred in the past, workshop participants state that, ''comparing the current environmental change with these events is difficult because the rates of environmental change are unprecedented. It is therefore difficult to predict what the outcome of the current anthropogenic experiment will be.'' However, the report continues: ''it can be said that we are pushing the Earth system to its limits.''

The workshop participants concluded, ''Unless action is taken now, the consequences of our activities are at a high risk of causing, through the combined effects of climate change, overexploitation, pollution and habitat loss, the next globally significant extinction event in the ocean.'' Again, they mean in geologic time.

So what will we do? This is not the first report to state with certainty that our oceans, and thus our ocean dependent populations and economies, are in serious jeopardy. In 2003 the Pew Ocean Commission report led off with the following, ''America's oceans are in crisis and the stakes could not be higher.'' In 2004, the U.S. Commission on Ocean Policy, as mandated by Congress in the Oceans Act of 2000, published their final report and pronounced, ''The importance of our oceans, coasts, and Great Lakes cannot be overstated; they are critical to the very existence and wellbeing of the nation and its people. Yet, as the 21st century dawns, it is clear that these invaluable and life-sustaining assets are vulnerable to the activities of humans.''

Nearly two centuries ago, the poet Byron could write:

Roll on, thou deep and dark blue Ocean—roll.
Ten-thousand fleets sweep over thee in vain;
Man marks the earth with ruin—his control
Stops with the shore.

Well, no more. Now, in 2011, this international group of scientists reminds us that we are now marking the oceans with ruin and that ''the human interactions with the ocean must change,'' to quote their report, ''to sustainable management of all activities that impinge marine ecosystems.''

Mr. President, we must work together to preserve and protect the ocean ecosystems we rely on so heavily, for we too are greater than the sum of our parts. In a bipartisan effort, Senator SNOWE and I have introduced the National Endowment for the Oceans to provide dedicated funding for ocean and coastal research, restoration, protection, and conservation. Too often, the knowledge and the information we need to better protect and understand these ecosystems comes too late or comes not at all. We hope to change that.

Together, we can still turn the tide to protect our ocean and our society, but if we are to have any chance, we must act soon, and we must make progress quickly. I look forward to working with my colleagues to confront these looming challenges.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

Mr. COATS. Mr. President, I am in somewhat of a unique position as a returning Senator after being out of Congress for 12 years. I never contemplated running for the Senate again or being back on this floor in any capacity except as a former Senator, but I had a chance to do it over, I guess is the best phrase, and assess what is important and why I am here.

I ran for only one reason. I am deeply concerned about the direction of our country and our plunge into debt. I want to try and avoid coming here and assessing blame, but rather set aside who is responsible. I want us to avoid the politics of all this and simply recognize this is the situation we face. Our fiscal situation has potentially dire consequences for the future of this country, not just for our children and grandchildren, but even for this generation.

Our economy is not in good shape. We still have not recovered from one of the deepest recessions since the Great Depression. There are a lot of people out of work. The official unemployment number is 9.2 percent. The real number is a lot higher than that because many people have given up looking for work, or they extended their time in school because they know that if they graduate and get out into the job market they are not going to be able to find work in the area they are trained for, or perhaps in any area. A lot of people have tried and tried and simply cannot find work.

It is clear and I think there is a consensus—if not total consensus at least pretty close to total consensus—that we simply have run out of money. As a government we have made promises that we can no longer afford to pay for and fulfill, without serious financial restructuring. We have enjoyed a lot of largess and a lot of prosperity in the past. As a result, commitments were made for spending in discretionary programs, building highways, and sewer systems, etc.—a lot of good things but things we simply no longer can afford.

We see this happening across the world. There has been a 60-year spurt or commitment to credit and now the money has run out to pay for all that. Whether it is southern Europe, other parts of the world or the United States, this is a very difficult situation. For the last 6 or 7 months a lot of us have worked very hard to try to find a solution. We are now in the month of July, and we are approaching the date in which we reach our debt limit. We no longer can continue to borrow without raising that limit.

About 40 percent of everything we spend now has to be borrowed. That is unsustainable. We are told that funding for the basic programs that help the senior citizens of our country enjoy the rest of their lives—Medicare and Social Security—are drying up, and it will not be long before either benefits have to be cut or programs become insolvent. No one here wants to see that happen. What we do want to see happen, though, are necessary steps to preserve those programs for the future.

This crisis is occurring all over the world. We are watching it take place as it creeps through different countries, and now we are facing that. Whether it is a liberal economist or conservative economist or someone in between, or someone with no political interest, there is consensus that we have to take action and we need to take it now. We cannot postpone it. We have been doing this for years.

We all knew the baby boomers would retire and put tremendous pressure on our budget, and that is exactly what has happened. The quicker we take action, the less painful it will be. It is going to be painful because we have put fixing this problem off for so long.

For 6 or 7 months there has been a sincere effort by a lot of people to solve this problem—Republicans and Democrats. These are people who genuinely have concern for the future of this country and believe we need to address these issues, as painful as they are. It goes against political instincts of preparing and positioning oneself for reelection, whether it is 2012 or beyond.

But as I said from the beginning, we must find a way to transcend politics

and the 2012 election. Unfortunately, the closer we get to the crisis, the more we see politicians positioning themselves so as not to be blamed.

The reason we came here was not to position ourselves politically so we can succeed in the next election. The reason we came was to deal with the problem in front of us right now and that needs to be addressed right now. What is the rough consensus? The rough consensus is that if we don't have at least, over the next 10 years, $4 trillion to $6 trillion of cuts in discretionary spending and in some of the mandatory programs, we are not going to have a credible program the financial world will be able to look at and say: You can still trust in the value of the dollar and ability to continue viewing America as a safe haven to place investments.

There is a consensus that unless we make structural changes—not just cuts and nicks and little slices here and there, but structural changes—in the entitlement programs, they will not be solvent in the years ahead. Then we will have to turn to those senior citizens and beneficiaries and low-income people and say: I am sorry. We simply cannot pay you what we had committed to pay you. Your benefits are going to have to be reduced, or we are going to have to raise taxes to pay for it.

Without comprehensive tax reform, we are not going to have the kind of package we need to create a dynamic, growing economy that can solve some of our revenue problems. It is not just cutting, it is not just growth, but it is a combination of those items and structural reform that is necessary in a package, and that is what we have been debating: how to get there.

What is disturbing to me lately is that we have shifted away from that central focus, and now we are focusing on who will take the blame when we default or don't default on August 2. There is a lot of political posturing around here. This is not about corporate jets. It is not about all these ads out there and mailings and so forth saying: Congress is going to take away your Social Security. Congress is going to slash your Medicare benefits.

I guess I am asking that we acknowledge the reality of the situation we are in, that we do our very best to put this above the politics of 2012, and work to find some sensible solution to all of this.

I believe comprehensive tax reform can potentially provide a way to address the need for revenue and the need for growth. As we know, there are hundreds, if not thousands, of special expenditures, exemptions, subsidies, credits in the Tax Code that were put in for the few and not for the many, that have complicated our Tax Code to the point where no one can understand it except for someone with an advanced degree in accounting or law.

So I believe tax reform is essential as a part of whatever reform package we finally come up with to address the debt. Senator WYDEN and I, on a bipartisan basis—a Democrat from Oregon, a Republican from Indiana—have put together a comprehensive tax reform package. We don't call it perfect. We are open to suggestions. But it eliminates those special exemptions and uses the revenues gained from cutting loopholes to lower tax rates for Americans. Our corporations pay the highest corporate tax rate of every one of our global competitors except one. There are 36 countries that compete and sell their products around the world, and we are 35 out of 36 when it comes to our tax rate. We want to level playing field with the rest of them because we think we can outcompete, and that will be a significant and positive impact on our economy. So using those revenues from eliminating loopholes as a way of lowering tax rates and addressing some of the needs we have is certainly something we ought to be exploring.

Lastly, let me just say we need to focus on the reality of the situation in a personal way because we get caught up in numbers, and we get caught up in generalities. What are we trying to do? We are trying to get this economy moving again so people who have been searching for work for 2 and 3 years can get their jobs back; so young couples who wish to raise a family have the opportunity to buy a home; so parents who are saving and trying to get their children into good schools for postsecondary education have the ability to do that; so college graduates can come out of school with a degree and find a place to work and begin a career.

We owe it to the people of our country who are suffering right now, and there are many. We owe it to this Nation that has provided so much opportunity and so much prosperity for so many people. No country in the world has come close to what America has achieved. We owe it to our children and our grandchildren who will inherit what we have done or not done. The reality is, we are going to transfer a debt load onto our children and future generations that they may not be able to overcome. I don't want to leave that legacy. I don't want to be part of a generation that does that. So I think it is time for us to stand up and do what is necessary to address this problem.

Letters and emails from Indiana are running 100 to 1 in favor of cutting government, and running 100 to 1 against cutting anything in Social Security or Medicare. I have people coming into my office every day saying: We know we have to get our fiscal house in order, but let me tell you why our program needs to be exempted.

As politicians, we want to say yes to people. As responsible, elected officials faced with a very difficult situation, we have to, with compassion, look at people and say: No, we are not able to do this. We are not able to afford this, but we are taking this action today so we can afford it in the future. We are taking action now so we can leave future generations with the same types of opportunities our generation has enjoyed and the benefits that come from living in America. That may cost some people their elections. There are a number of people here who are willing to sacrifice for that purpose.

Do we want to leave and say: Well, I survived all these years unscathed politically, or do we want to leave here saying at the right time we did the right thing? At the time of crisis, at a time when our country desperately needed us to come together to address this very serious problem that could plunge our country into a deep recession, if not depression, at a time when financial institutions around the world are fragile, at a time when wars and conflicts are popping up all over the globe, did we do the right thing? What do we want our legacy to be regardless of the consequences?

We are 2 or 3 weeks away from defaulting on our debt. There are a lot of excuses around here about that and some even think it will not have many consequences. It will. The idea of using that as leverage to gain what we need to do doesn't appear to have worked.

I think if we keep our focus simply on default or not default, we still have a major problem. Just simply finding a way to get through this and raising the debt limit does not solve the underlying problem. That has to be addressed. I wish we had been able to do that because the situation is dire. We cannot wait until 2013. We need to do it now.

So here I am. I don't have answers. I have some guidelines from people who know a lot more about this than I do, people who do not have a political stake in this in terms of what they think we need to do to put together a package. We need a plan that has credibility with the financial world, so that what has happened in Greece, Portugal and Ireland and maybe now in Italy or Spain, and other places in the world will not happen here because we have restored some confidence and faith in the American people and the investment see the United States as a safe haven for their money. We need credibility so others know we have seen the problem, we have recognized it, we have taken meaningful steps, and while it will be painful and take time—America has come through.

To paraphrase Winston Churchill: America always will do the right thing after it has tried all the wrong things. Well, we spent a lot of years doing the wrong things and not recognizing that we were building up an unsustainable fiscal situation that would come back to haunt us. We have tried a lot of methods and postponements and deferments and everything else. What we have not done is stand up to the problem we have and do what is necessary, take this above politics, and do what is right for America.

Mr. COATS. I yield the floor.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from Alaska.

CROATIA

Mr. BEGICH. Mr. President, I rise to speak briefly about progress in the nation of Croatia, which I was honored to visit recently.

At the invitation of the Croatian Minister of Defense, I participated in what is known as the ''Croatian Summit,'' a gathering of leaders from Eastern Europe.

The theme of this year's summit was: ''A New Decade for Southeast Europe: Finalizing the Transition.''

Less than 15 years after a terrible ethnic war that devastated Croatia, the nation is making enormous progress. It is rapidly making a transition to a market-based economy and its government leaders are committed to a strong and lasting partnership with the United States.

They are a great partner of ours in Afghanistan and in other trouble spots across the globe.

That is personally important to me because 100 years ago this year, my grandfather emigrated from Croatia to this country. John Begic—then it was spelled B-E-G-I-C—then 17 years old, left his farm and eventually settled in northern Minnesota's Iron Range.

John Begic and his young bride, Anna Martinich had four children. Their youngest, Nicholas, made his way to America's new frontier of Alaska even before we were a state. He was my father.

Nick Begich was an educator and eventually was elected Alaska's lone Member of the U.S. House of Representatives in 1970. I am honored to follow in his footsteps as a Member of the Senate, where I am the only Member of Croatian decent.

My recent visit to Dubrovnik was my first to Croatia. I was honored to represent this body at the summit, along with officials from the State Department and U.S. Embassy.

I was impressed with the great progress underway there, as well as the excellent job being performed by our embassy personnel. There are enormous opportunities for partnership between the United States and Croatia, and I am anxious to pursue those.

I ask unanimous consent that my remarks at the Croatia Summit be printed in the RECORD to document my participation in the summit and the strong partnership between our nations.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CROATIA SUMMIT PANEL: SECURITY CHALLENGES IN THE ALTERED MEDITERRANEAN

Thank you, Defense Minister Božinović, for that kind introduction.

Thanks to all the government leaders of Croatia and to the people of Croatia for the warm hospitality you have extended to me in the short time I've been here. It's also an honor to meet with many of the other leaders of the region at this Summit.

Visiting Croatia has been a life-long dream of mine, never realized until yesterday. It was exactly 100 years ago that a 17-year-old farmer by the name of John Begic left the family farm in the small village of Podlapaca, over the mountains from the Adriatic not far from Zagreb.

Upon landing at Ellis Island, they gave him a new name—Begich—with an H. And permission to establish himself in America. John Begic was my grandfather. He eventually settled in Minnesota's Iron Range.

John Begic and his young bride, Anna Martinich, had four children. Their youngest—Nicholas—made his way to America's new frontier of Alaska even before we were a state. He was my father.

Nick Begich was an educator and eventually was elected Alaska's lone member of the United States House of Representatives in 1970. I'm honored to follow in his footsteps as a member of the United States Senate, where I am the only member of Croatian decent.

From the moment of my election nearly three years ago, the people of Croatia have treated me as a long-lost son. In fact, I've had better coverage in the Croatian press than my hometown newspapers back in Alaska!

When I was invited to participate in this Croatian Summit, I jumped at the opportunity. Not because I'm an expert in the issues of this region, but more to commend the people of Croatia for your enormous progress and your great partnership with my country.

Croatia has made remarkable political progress since the end of the war more than 15 years ago. You are a welcome member of NATO and will soon become the 28th member of the European Union. Both of these landmarks came with enormous challenge, and I salute your achievement. There will be bumps in the road to this new future.

And there is no doubt that Croatia has earned membership in both. As a NATO member, Croatia has stepped up to the responsibility of providing security in both the region and internationally.

As a member of the Senate Armed Services Committee, I am closely tuned to military engagements across the globe. By the end of this year, nearly 10,000 soldiers from my own state of Alaska will be serving in harm's way in Afghanistan. This is one of the highest percentages of any state. Their service on the front lines is not without controversy back home, and I know you face the same questions here. So I thank you for your partnership.

Croatia's troop commitment in Afghanistan—330, soon to be 350—is one of the highest per-capita contributions in the International Security and Assistance Force there. And Croatia has taken the lead in establishing a military police training center in Afghanistan, to which other members in the region will also contribute trainers.

This cooperation alone, in faraway Afghanistan, involving countries that not long ago were embroiled in a vicious war, brings a certain stability to the region of the former Yugoslavia and creates a unique opportunity.

Fifteen years ago Croatia was a security consumer, with UN Peacekeeping troops deployed throughout the country. It is now a security provider, with 472 troops deployed across the globe, including in Kosovo, the Golan Heights, Afghanistan, Western Sahara, India-Pakistan, and in counter-piracy operations in the Gulf of Aden. They even have staff officers assigned to NATO operations in Libya.

One impressive observation: Croatia recently hosted the U.S.-led ''Immediate Response'' military exercise involving troops from countries throughout the region. Most importantly, Serbian troops participated.

Imagine, just more than 15 years since Serb and Croat troops fought it out throughout this country, Serbian and Croatian troops cooperated side by side in an exercise to ensure security in the region. This is a testament to the determination of the governments of Serbia and Croatia to put the past behind them. This type of cooperation ensures that this region will have a secure and prosperous future.

Croatia has also demonstrated a desire to play a constructive role in assisting neighboring Bosnia and Herzegovina. Bosnia's stability and prosperity are absolutely key to security in the region.

Croatia is in a position to play a positive and leading role in assisting countries in the region in their efforts at Euro-Atlantic integration. Joining the EU and NATO, with their shared values of democracy, human rights and rule of law, is perhaps the best way to ensure security and prosperity in the region.

In early May, I was honored to welcome to my office Croatian President Josipovic. I congratulated him then on the enormous progress Croatia has achieved in a little more than a decade after a devastating war.

I understand that per capita income is the second highest in the former Yugoslav states. Health, education and other quality of life factors are on par with many European countries. Despite these signs of progress, the president reminded me that Croatia's economy remains troubled, with high unemployment and outdated industries. That's a situation we can certainly sympathize with in my country.

One note of caution: Croatia still has a long way to go to reform its overly bureaucratized economy in a way that will ensure prosperity ensures stability and encourages investment.

Croatia, like many of its European neighbors, is in a position to play a positive role in providing security in a Mediterranean that is in transition. I noted earlier that Croatia has provided staff officers as members of the NATO team conducting operations in Libya. Croatia has also stated publically that it is working with the anti-Ghadafi Transitional National Council, and has recognized it as the legitimate voice of the Libyan people.

Just as the countries of East and Central Europe had their own European Spring in 1989 and after, North Africa and the Middle East is groping toward a kind of democracy and social justice that for the most part had eluded them. The nations of Europe, especially those like Croatia who made the transition from dictatorship to democracy, can and are playing a special role to help all the people of the Mediterranean achieve democracy, rule of law and prosperity. Euro-Atlantic engagement with the pro-Democracy movements in North Africa and the Middle East is the best way to ensure their revolutions do not take a turn down the wrong path.

The U.S. is anxious to assist with economic partnerships with this region. One specific area is with increased tourism.

From what little I've been able to see of Dubrovnik, you have an enormously attractive city which many Americans would love to visit. And we'd certainly welcome Croatian visitors to our states, including Alaska. I am working with Senator Mikulski of Maryland on her visa waiver bill to ease the ability of Croatians to get visas to visit the United States.

Let me conclude by restating how excited I am to be here in Croatia and to commend you for a productive and lasting partnership with the United States. I hope this conference creates many more opportunities for cooperation within this region.

Mr. BEGICH. Mr. President, I wish to say thank you for the opportunity to

put on the RECORD my experiences in Croatia this last weekend and, again, seeing the country after 15 years ago going through incredible devastation to where they are today.

I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

The assistant bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. HAGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BUDGET LISTENING TOUR

Mrs. HAGAN. Mr. President, I rise today to report to the Senate on the completion of my North Carolina Budget Listening Tour. While people in this town were mired in political gamesmanship that seems to be pushing parties further apart, I wanted to hear directly from community leaders and business leaders in North Carolina about how they think we should be approaching the responsibility we have to reduce our deficit and our debt. I held listening sessions all over the State—from Raleigh to Greensboro and Charlotte to Wilmington—and I heard from North Carolinians of every kind: small business owners, health care workers, veterans, entrepreneurs, and more.

The message I heard could not have been more different from the partisan bickering in Washington that is dominating the airwaves. In Washington, we see negotiators walking away from the table, refusing any and all compromise, putting politics ahead of what is best for the American people. In North Carolina, people were coming to the table and putting party aside for commonsense solutions to meet our shared budget obligations. To me, the message was crystal clear: Washington needs to take a lesson from North Carolina. It is far past time to put partisanship aside and do what is right for the American people.

At the Charlotte listening session, I heard from the executive director of a health care nonprofit responsible for caring for the elderly. She told me about important ways we can reduce health care costs and save lives, such as expanding access to preventive care for seniors to reduce the onset of expensive chronic diseases. Gayla Woody, the director of aging at the Centralina Council of Governments, told me the story of how one of her clients—a man caring for his wife with Alzheimer's—was able to continue to care for her at their home thanks to the comparatively small investments made in the Family Caregiver Program rather than a more expensive nursing home. They both also told me we cannot afford an extreme plan to turn Medicare into a voucher program for vulnerable seniors. Balancing the budget on their backs is not a solution I can support.

I also heard from small business owners, economic development coordinators, and community bankers at our Wilmington and Raleigh tour stops. They told me about how Washington's partisan paralysis is preventing them from having the sort of certainty they need to be able to make the hard decisions to invest in their businesses and to grow jobs in this economy for their companies. If these businesses don't know whether they ought to be investing in new equipment or new employees, then we are not going to be able to sustain the economic growth that is a necessary component to reducing our deficit and our debt.

I also heard from a veteran of the U.S. Marines Corps and current chaplain for the Onslow County Special Incident Response Team. This dedicated public servant talked about the importance of protecting services for our veterans. And I will fight for them just as hard as they fought for us. He also talked to me about the importance of priorities. He said we ought to keep our promises to those who sacrificed for us—our seniors and our veterans—but we also need to invest in our children and their education. It was important for the future, he believed, and I agree he was right.

While the challenge of reducing our deficit may appear daunting, I don't believe meeting it is impossible if Washington takes to heart the message I heard all over North Carolina last month. Both sides—Democrats and Republicans—need to put aside partisanship and come to an agreement that is bipartisan and balanced, one that includes a shared sacrifice but also fulfills the sacred promises made to our seniors and our veterans and makes the critical investments necessary for a prosperous American future. Above all else, they do not want us to kick the can down the road one more time. They sent us here to make hard decisions. Putting them off to resolve during some future crisis is simply not an option.

These broad goals and values are widely shared across party lines. I recognize turning them into a bipartisan, balanced solution to our fiscal challenges will not be easy, but the consequences of failing to do so are simply too great to ignore.

Thank you, Mr. President. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DEBT

Mr. BARRASSO. Mr. President, I come to the floor today as a Member of the Senate—specifically, though, as a Senator from Wyoming because in Wyoming our families know they have to live within their means. Wyoming is a State that lives within its means. In Wyoming, our very constitution requires that our State live within its means.

Washington has a total debt now that is over $14 trillion and continues to climb every day. Wyoming's total debt is zero. How did Washington fail where Wyoming succeeded? Well, in Washington, this city overspends in Washington there is nothing really to stop it. In Wyoming, we live within our means because our constitution demands that we balance our budget every year. It is time for Washington to take a lesson from Wyoming and the other States that balance their budgets every year.

The President says, ''All of us agree that we should use this opportunity to do something meaningful on debt and deficits.'' Well, passing a balanced budget amendment to the Constitution is possibly the most meaningful thing we could do.

This city's finances are in disarray. Our Nation's finances are in disarray. It has been over 800 days since this body has passed a budget resolution. Since the last time a full budget was passed, our country has spent over $7 trillion, and $3.2 trillion of that was money we did not have.

Our total debt now is over $14 trillion. People say: How much money is that? The number is astonishingly large. Let's try to put it a little bit into perspective. Every day, Washington borrows over $4 billion. We borrowed over $4 billion yesterday, $4 billion today, and if someone will lend us the money, we will borrow over $4 billion tomorrow. That is over $2 million a minute, every minute. Every single day, Washington borrows enough money to buy tens of thousands of new homes. Every single hour, Washington borrows enough to buy nearly 2 million barrels of oil. Every single minute, Washington borrows enough to send 53 students to private college for a full year. Every single second, Washington borrows enough to buy two new automobiles. We paid over $200 billion last year in interest on the debt alone. The President talks about a tax on private jets. That is enough money—the interest alone—to buy over 200 private jets every day.

It is not enough to think about this in the large terms; you have to try to put it in terms that people understand. Because we are spending and borrowing so much money, it is difficult to put it into terms that people grasp and that they see. It is good to hear the President acknowledge that we have to stop making more than the minimum payments in order to pay off and deal with this incredible debt.

The President has also announced his willingness to make a deal that he says involves meaningful changes to Medicare, to Social Security, and to Medicaid. To his credit, the President has accepted that much of the problem with saving these programs springs from his own side of the aisle. He says, and I agree, that now is the time to do it.

The Associated Press quoted the President asking the most important question of all: ''If not now, when?'' Well, the clock is ticking. In just 13 years, Medicare will be bankrupt. We have to strengthen Medicare. In 25 years, the same will be true of Social Security. Unlike our debt limit, this is not a limit Congress can simply legislate away. We have to act now to prevent these programs from failing not just today's generation but future generations.

The Senate minority leader said: I commend the President for putting Social Security and Medicare on the table.

He is correct in doing that. So with the President seeing the light on so many issues, why are we still talking about finding a solution instead of actually getting one passed here in the Congress? Because, for all that he claims to understand, the President has still fallen back on the same tax-and-spend policies that made this economic situation worse. It is clear that the policies of this administration have taken a tough problem and may have made it worse. On the President's inauguration day, the unemployment rate in this country was just under 8 percent. Today, it is 9.2 percent. Every American child who is born today will owe roughly $45,000. Let's compare that to the day President Obama was inaugurated. Every child then owed roughly $35,000. So in just those short years, the debt on a child born in America, the debt they are born with has gone up from $35,000 to $45,000. These disturbing economic results are the direct result of the past 2 years of policies.

Liberals want to hold the U.S. credit rating hostage for more tax hikes, and the President is leading the charge. He is trying to push more tax hikes despite the very fact that even he has now said it is the worst time to raise taxes. Back in 2009, President Obama said: The last thing you want to do is raise taxes during a recession. So why, then, is he calling for $400 billion in tax increases today? And why is the Senate Budget Committee chairman trying to one-up the President by calling for $2 trillion? Well, of course, the President will not admit he wants to raise taxes. He likes to use wiggle words. He uses words such as ''revenue'' or the ''spending in the Tax Code'' instead. But when you translate this Washington doublespeak, it comes out ''higher taxes.''

With the spin exposed, liberals are trying another tack: They are trying to claim they will delay the tax increases until the economy recovers. They are not saying they are not going to raise taxes; they say: Let's put it off for a while. This week, the President showed what this really means. He said, ''Nobody is going to raise taxes right now.'' He said, ''We are talking about potentially 2013 and the outyears.'' So, in other words, this is not really about waiting until the economic recovery comes; it is about waiting until 2013, until after the President's reelection campaign.

More troubling still, the President has already signaled that he wants to spend more in the future. Our problem is not that we are taxed too little, it is that we spend too much. Yet the President wants to spend even more. At his press conference, he said he is only tackling our debt so we can be ''in a position to make the kind of investments I think are going to be necessary to win the future.'' When the President talks about investment, it is common knowledge that what he is talking about is spending.

Finally, for all his posturing about getting this done, now it is really the President who seems to want to kick the can down the road. His plan may cut trillions, but Washington would be able to take as long as 10 years to do it.

Minority Leader MCCONNELL has already blown the liberal cover on these very cynical political bluffs. He said, ''The President has presented us with three choices: smoke and mirrors, tax hikes, or default.'' Well, Republicans choose none of the above.

As a doctor, I have taken the Hippocratic Oath. The oath says: Do no harm.

Raising taxes will harm our economy. Cutting spending at a snail's pace will do very little to help. We have to tackle our fiscal problems today. The first step toward solving these problems should be to pass an amendment to our Constitution requiring Washington to balance its budget.

A balanced budget amendment would require Washington to spend no more money than it takes in every year. Such an amendment would force Washington to live within its means as many States do and as families across the country do.

I come to the floor as cosponsor of the balanced budget amendment. As a matter of fact, every Republican in the Senate is a cosponsor of the balanced budget amendment, 47 Republican Senators. Every one is a cosponsor of the balanced budget amendment. We are united and will remain united. This is a commonsense approach, and it will show the American people that they can trust their government with their money once again because right now the American people have little confidence they are getting value for the money they send to Washington.

I believe we need to lead today, not defer leadership until tomorrow. Americans are courageous; they deserve a courageous government. That is why I know the American people overwhelmingly support a balanced budget amendment to the Constitution.

The President said the other day that it is time to ''eat our peas.'' We all saw him on television saying it is time to ''eat our peas.'' I agree with another President, Ronald Reagan, who said it is time to ''starve the beast.'' The beast is Washington and the Washington wasteful spending that the American people are seeing every day.

Mr. President, Americans pay their debts. They want their country to do so too. It is time for Washington to listen. It is time for a balanced budget constitutional amendment, and then it is time to start paying off this massive debt.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNET. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

Mr. BENNET. Madam President, like you, I have heard a lot of loose talk over the past months invoking the Founding Fathers—loose talk to underscore an expedient argument about what they would be doing if they were legislating today. But the way our Founders are often used is as a caricature to distort history for the benefit of partisan and narrow interests.

To hear some people talk about it, you would think the Founders were engaged in a process of dismantling a country rather than building one. That version of events is not only wrong but it also thoroughly diminishes the founding generation's extraordinary accomplishments and the lessons we should draw from them.

Our Founders met enormous challenges with great courage and sacrifice to start a country around an ideal. In the same vein, our modern history has been characterized by meeting great challenges with distinct qualities. We are hard working. We meet our challenges by refusing to allow their complexities or attendant political difficulty to lead us toward accepting failure as an option. We are inclusive. We meet our great challenges by meeting them as one, by crafting solutions that involve buy-in, participation, and sacrifice from all parts of the political landscape, and the American people.

We act with courage. We meet our great challenges when, and only when, the leaders of the day have the courage to decide they will be the ones who meet those challenges, that they will transcend the short-term incentives and political imperatives of their time to do something of greater importance.

These traits have enabled us to end a Civil War, overcome the Great Depression, and march toward civil rights. But they have also allowed us to do smaller and still very important things such as work together in the 1980s to protect and preserve Social Security.

Today, that honorable past and the sacrifice it entailed has been hijacked to protect and defend narrow interest group politics and tax loopholes.

Our tax and regulatory codes are backward, facing in a way that is straining our recession-battered middle class and failing to drive innovation in our economy. As a result, middle-class

income continues to fall, the gap between rich and poor grows wider, and all of us wait for a 20th-century economy to produce 21st-century jobs. That wait will be in vain.

It will particularly be in vain for those of our citizens unlucky enough to be born poor and who therefore stand a 9 in 100 chance of ever graduating from college in the United States of America in the year 2011. That is because year after year we have torn each other up so much on issue after issue, because of the smallness we have exhibited in the face of what our big challenges are, and now we find ourselves at a crisis point without a politics capable of even addressing the kinds of challenges we face each year, let alone a generational crisis like our deficit and debt.

I have come to the floor for months arguing for the need for a comprehensive approach to addressing our deficits and debt. What Colorado wants is nothing more than what this country has seen from past generations of leaders in past times of crisis. As I have said over and over, what people in red parts of the State and what people in blue parts of the State want is a solution that materially addresses the problem. They know we are not going to fix it overnight, but they want it materially addressed. They want a demonstration that we are all in it together, that everybody has something to contribute to solving the problem. They emphatically want it to be bipartisan because they don't believe in an either-party-going-it-alone approach when it comes to our debt and our deficit.

I add a corollary to that, which is that we need to assure our capital markets that the paper they bought is actually worth what they paid for it.

It was in the spirit of getting together on a solution like that my colleague, Senator MIKE JOHANNS, and I wrote a letter to the President. Sixty-four Members of the Senate—evenly divided between both parties—signed onto an approach that called for entitlement reform, tax reform, and discretionary spending cuts. The math compels this answer. The economy needs this certainty. Colorado and the country want this result. It should achieve the $4.5 trillion in deficit reduction over 10 years and should have a 3-to-1 ratio of spending cuts to revenue increases. That is what the Bowles-Simpson Commission recommended.

Our political system seems intent on thwarting an approach supported by Senators in both parties. Both parties seem willing to submit to that flawed system's perverse incentives.

While I am convinced that many in this body and the House would actually like to make this deal, these interests distort the conversation into a partisan war and rip it apart from the inside.

On one side, some advocate for no changes to the Medicare Program; on the other, for no changes to revenue. Yet these are among the two biggest drivers of our long-term debt—and everybody knows it.

Only in Washington could people pretend that significant deficit reduction could be accomplished while ignoring the two biggest fiscal challenges we face. I am a former school superintendent, and what that tells me is that Washington has a severe math problem. We are in need of remediation.

When it comes to a solution on the debt, the contrast between Washington's dysfunction and Colorado's common sense could not be clearer. Yesterday, I had a call with Colorado business leaders who spanned the ideological spectrum—both Democrats and Republicans—to talk about our deficit and debt. Despite their differing party affiliations, there was clearly a consensus that everything needed to be on the table when it comes to the debt—including both tax revenue and entitlement changes. But somehow this common sense gets lost in the current debate.

If changes to entitlements are off the table, we as leaders will fail. If changes in revenue are off the table, we as leaders will fail.

I turn to the American people watching this debate with worry or disgust and say: If challenges to our ideological beliefs or to the politics that historically define our debate are off the table, then as a generation we cannot meet the challenges we face, and we are not going to be able to support the aspirations we have for our kids and our grandkids.

This is about courage: courage on the part of Democrats who know refusing to touch Medicare is an argument we could win, but the price of winning that argument may be losing America's ability to pay its bills; courage on the part of Republicans who know revenues are unpopular but who secretly understand that we can't simply cut our way out of this budget hole. And in a moment of such crisis, this should be the least Americans can expect of us.

During the worst recession since the Great Depression, Madam President, it was my privilege to spend the last 2½ years traveling my State while we were going through this horrible economic turmoil. Americans and Coloradans have made gut-wrenching decisions in their personal lives—about where to send their children to school, how and where to live, what medicines they can afford, and what medicines they might hope to live without. Local officials have been held accountable to citizens for the decisions they have had to make. Yet Congress has struggled to reflect the ideals and aspirations of the people we represent.

This DC political culture serves special interests but it doesn't even register the needs of Coloradans. No business would sacrifice the economic interests of its shareholders, because the ones that do are gone. No mayors in Colorado would threaten their bond rating for political ideology—not one. It wouldn't occur to one of them to threaten their credit rating, because mothers, fathers, taxpayers, and everyday citizens would have their heads, and rightfully so. I think the difference is that no special interest stands between a Colorado local government official and the people he or she represents.

Having served in local government, I have to say what often seems to be an unattainable standard for a high officeholder is simply life in the real world for the rest of us. Last week, we came to Washington to cast a series of inconsequential votes. But by the end of the week, some of us were encouraged by the talk coming from the President and the Speaker.

My friend JOHN MCCAIN came to the floor pushing the need for a breakout strategy, referenced a Wall Street Journal editorial that called for a far more comprehensive and far-reaching plan. But now we learn a comprehensive deal feels once again out of reach. We are told we will have to settle for something small that one more time kicks the can down the road; that taxes and entitlements are just too hard for Washington politics.

I may not have spent enough time here to see through these political games. This may all be part of an elaborate strategy to get to yes. But I shudder—I shudder—when I wonder what investors, our creditors, and the American people think of this political game of chicken. Unlike Congress, they do not conduct their business with winks and nods, and they solve their problems before they become insurmountable.

All of which brings me back to our Founders and the political leadership of other generations past that made these enormous and difficult decisions. As for us, we have chosen to put them off time after time, and now we are at an inflection point where we need to get this done. We have a $1.5 trillion deficit and almost $15 trillion in debt. Revenue is at a 60-year low and spending is at over a 60-year high. And we have the path to begin to bridge this. The Simpson-Bowles commission has given us that path forward.

I am the first to say—and I should say—this debt is something we all own. I voted for things that contributed to it, as have all of my colleagues, and of all the things that comprise the debt, there is something each member of our great Nation wants or needs. We all share in the responsibility for how we arrived at this point.

So to be clear, if anybody thinks this is merely an attack on the institution, we need to understand this massive debt is something for which we are all responsible. Those who voted to fight the wars and to pass the tax cuts did so as a reflection of what they believed was a moment of truth. These decisions were not made in a vacuum. We got here because we aspire to be a society that is better than our competitors. We are all responsible. We are all responsible for the crisis that looms. But the inflection point we have reached has

led to a different mandate, a different moment of truth. The American people are asking us to lead.

This is a country of patriots, of incredibly courageous people who take on challenges little and big every day. I have tremendous respect for my colleagues and for this institution, and I am well aware that until about 6 months ago I had never even been elected dogcatcher. So I recognize how much I have to learn. But clearly—clearly—we are not living up to the standard of courage that past generations of leaders and every generation of ordinary Americans have set for us. Congress is certainly not living up to the standard the people of Colorado and of this country expect from us.

I wonder if maybe we have looked at this the wrong way. The President has put entitlement cuts on the table, and that is the right thing to do. I encourage him to do more.

As for the question of revenue, I will tell any politician that this is not the time to be wedded to the status quo. There is nothing magical about current revenue levels, about our Tax Code, or about all the loopholes and special interest perks that we account for only by borrowing more and more money.

But there is something else important to mention, which is also lost in the debate. We have waged two long and costly wars. I don't want to re-litigate today the wisdom of going to war. My colleagues in the Senate and House—many of whom are still here in the Congress—had to cast difficult votes to send our young men and women into harm's way. But regardless of your position for or against, Congress ultimately made a decision to layer those costs on top of our current budget. We did this instead of accounting for them as part of our annual expenses. That was the decision that Congress made, and it began our slide from surplus to deficit.

So for a moment let us separate the costs of these wars from the important and robust debate we are having about entitlement spending—Medicare, Social Security, and our discretionary programs—and resolve a threshold question, or maybe two: Are we, as a generation, going to pay for these wars or are we going to continue to borrow from foreign governments and stick our kids with the bill? Are we even willing to make just a down payment on their incremental costs? Because that is what we are talking about.

The amount outlined by the Debt and Deficit Commission—$785 billion in tax reform—which, by the way, would lead to lower rates, doesn't even cover the incremental expense of the war commitments we have made. But it would be a good start. Are we willing to walk away from this moment and say we put the burden of fighting and dying in these wars on our sons and daughters, and at the same time leave the burden of paying it to our grandchildren?

And, after all, are we really willing to threaten the full faith and credit of the United States by failing to raise the debt ceiling for debts we already owe? This is not like cutting up your credit card. This is like getting your mortgage this month and saying, I'm not going to pay it because I spent my money somewhere else. Are we really willing to do that by failing to act comprehensively against our debt at a moment of global fragility in the capital markets? Would we risk all of this just for politics?

Interestingly enough, in their wisdom, the Founders understood and anticipated this very problem. They had a spirited debate about whether the Federal Government should have what they called ''a general power of taxation'' or whether we should have a system of ''internal and external taxation''—a system where the States could impose taxes but the Federal Government would be limited to collecting its revenue through duties on imports.

Ultimately, the Founders resolved the question in favor of the general power of taxation for the exact reasons that are staring us in the face today. So rather than talk about the Founders, I actually want to read what they said on this subject, in the hopes it will give us some guidance. Let me quote from Federalist No. 30. I apologize for the length, Madam President, but, as always, their words impoverish our own.

> If the opinions of those who contend for the distinction [between internal and external taxation] were to be received as evidence of truth, one would be led to conclude that there was some known point in the economy of national affairs at which it would be safe to stop and say: Thus far the ends of public happiness will be promoted by supplying the wants of government, and all beyond this is unworthy of our care or anxiety.

They went on to say:

> Let us attend to what would be the effects of this situation in the very first war in which we should happen to be engaged. We will presume, for argument's sake, that the revenue arising from the impost duties answers the purposes of a provision for the public debt and of a peace establishment for the Union. Thus circumstanced, a war breaks out. What would be the probable conduct of the government in such an emergency? Taught by experience that proper dependence could not be placed on the success of requisitions, unable by its own authority to lay hold of fresh resources, and urged by considerations of national danger, would it not be driven to the expedient of diverting the funds already appropriated from their proper objects to the defense of the state? It is not easy to see how a step of this kind could be avoided; and if it should be taken, it is evident that it would prove the destruction of public credit at the very moment it was becoming essential to the public safety. To imagine that such a credit crisis might be dispensed with, would be the extreme of infatuation. In the modern system of war, nations the most wealthy are obliged to have recourse to large loans. A country so little opulent as ours must feel this necessity in a much stronger degree. But who would lend to a government that prefaced its overtures for borrowing by an act which demonstrated that no reliance could be placed on the steadiness of its measures for paying? The loans it might be able to procure would be as limited in their extent as burdensome in their conditions. They would be made upon the same principles that usurers commonly lend to bankrupt and fraudulent debtors, with a sparing hand and enormous premiums.

I am going to paraphrase that in a minute. But it is almost as though Alexander Hamilton, who wrote these words in 1787, were sitting here today. And from the bottom of my heart, I wish he were. He closed the Federalist Paper No. 30 with an admonition to ideologues, writing that:

> . . . [s]uch men must behold the actual situation of their country with painful solicitude, and deprecate the evils which ambition or revenge might, with too much facility, inflict upon it.

As we have at other times in our history, we experienced the kind of evils that Hamilton anticipated on 9/11. We responded. And now, at this extraordinary time, it is left for us to get our house in order.

In truth, these are small decisions, when we consider them in the context of what our Founders faced. Their greatness is measured by the large task they took on and conquered. Ours is merely a junction between our own institutional impulse toward fecklessness and our individual love for our country and for our kids. When faced with similar decisions, families cut back; they sacrifice. And now we must do the same. Now, to paraphrase Hamilton, the last thing we need to do now is act in a way that jacks up our interest rates.

The 100 of us who are here in the Senate didn't create the system in which we operate. None of us decided it would be fun to have special interest groups scoring our every move or lobbyists hounding us about this or that tiny little provision or television channels reducing everything we do and say to a story line of endless minute conflict. And look, I understand what the incentives are here. It is possible we could fail and get away with blaming somebody else. It is possible cutting off our nose to spite our face could be a smart political move in this insane system. But there is a reason we venerate the Founders and Lincoln and the great legislative and executive figures of the last century. They were great not only because of what history threw at them, but because of the way they threw themselves at history.

They raised their hands. They showed real courage not only when they had to but when they didn't. They made themselves of use.

The Founders were practical people—dare I say it, Madam President, practical politicians searching for an ideal that became the United States of America, and they created in their practicality what Lincoln called the last, best hope of Earth. Think of that. Think of our actual history, not a cartoon, and imagine that we stumble, not because the Founders in their time failed to form a union but because in our time we failed to act as one.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TOOMEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

THE BUDGET

Mr. TOOMEY. Mr. President, I think it is fair to say we have two really major problems we are grappling with here in this Congress. More importantly, the people all across our country are grappling with them.

First, there is an economy that is far too weak. It is growing far too slowly, if at all, and it is certainly producing far too few jobs. The latest data is particularly discouraging on the job-creation front. Until we turn this around and get strong growth, we are not going to produce nearly the number of jobs we need.

The second big problem that strikes me as very disturbing is the unsustainable level of Federal spending and corresponding deficits and debt that have mounted as a result of all that spending. Federal spending since the year 2000, from 2000 to 2010, has doubled from just a couple of years ago when spending was less than 20 percent of our total economic output. Today, it is nearly 25 percent of our total economy, and that is way too large and unsustainable.

All this spending has predictably led to huge deficits. We have been running annual deficits these last couple of years of nearly 10 percent of our entire economy—really staggering in size, $1.5 trillion for the last couple of years running. The deficits are covered by issuing debt, so we have been accumulating debt at this really breakneck pace.

Of course, all of this debt has caused us to crash into our debt limit, and we are now mired in this debate, in this discussion, in these ongoing, very difficult negotiations over what to do because we have reached the statutory ceiling of the amount of money the Federal Government is permitted by law to borrow—$14.3 trillion. That is a number which is very difficult to grasp because of its sheer enormity, but there we are. We are at the limit, and we have to decide what we are going to do about it.

I am not impressed with where the current negotiations seem to be and where they have been. I think we have yet to see a plan from the President that lays out exactly what he is willing to cut in spending to put us on a sustainable path.

The President proposed a budget. I sit on the Budget Committee. We looked at that budget, we had testimony about that budget, and what we learned was it is not a serious budget. It would continue with huge deficits and mounting debt. It did not address any of the fundamental problems. When that budget was on the Senate floor for a vote, the President's budget got zero votes. The President subsequently backed away from his own budget but has not proposed an alternative. Unfortunately, my colleagues in this Chamber on the other side have proposed no budget whatsoever.

So here we are, the world's largest enterprise, the U.S. Government, preparing to spend this year—as we did last year—something on the order of $3.7 trillion without so much as a blueprint for how we are going to spend that, rules that would govern how it gets allocated in different categories, guidelines for where the revenue is going to come from, how big the deficit will be—none of that. We are simply proceeding along without a budget. I have to say I think that is shockingly irresponsible. Now we go into these discussions about the debt limit. Frankly, it is not clear to me that we are any closer to a resolution today than we were several weeks ago.

Some of us have suggested a solution. We have suggested a way out of this impasse that I would like to describe today. The solution we are proposing is that we go ahead and raise the debt limit by the amount the President has asked. Many of us are not particularly enthusiastic about that, but we acknowledge that failure to do so will at some point in, presumably, early August result in a considerable disruption and a partial government shutdown. It will not result in a default on our debt, and there are many of our ongoing expenses we could continue to cover from ongoing tax revenue, but it would nevertheless be very disruptive, and it is my hope that we never get there and instead find a resolution.

The resolution some of us are proposing—specifically Senator MIKE LEE from Utah, whom I credit a great deal for his leadership—Senator LEE and I have introduced a bill, together with a number of other colleagues—I think we have over 25 cosponsors in the Senate—based on the idea we call cut, cap, and balance. We would agree to raise the debt limit by $2.4 trillion, as the President has requested, provided that we get ourselves on a path to a balanced budget. By that, we see three pieces: cuts in immediate spending; statutory caps in spending over the next few years; and a balanced budget amendment to the Constitution, which we acknowledge would take several years to achieve. But the point is that the combined effect of these measures would clearly put us on a path to a balanced budget, end the practice of running deficits, and eventually end the need to raise debt limits because we would not be issuing new debt. We would, instead, as a government be living within our means.

If you ask me, this is very reasonable, to suggest that the Federal Government ought to live within its means. It is reasonable for families. Families do not have any choice; they live within their means. Businesses have to live within their means or they do not survive. And 49 of the 50 States have a requirement that they balance their budgets every year, and they find a way to do it.

This President would not be the first Democratic President to embrace this if he were to embrace this idea. President Clinton, working with a Republican-controlled Congress in the 1990s, first embraced the idea that we ought to strive for a balanced budget, that it was a worthwhile goal, that it was an achievable goal, and within a few years, in fact, they achieved it, two different parties working together—not always enjoying each other's company as much as one might like, but the fact is they got it done. I think we ought to consider using that model today.

As recently as 2007, we were actually quite close to a balanced budget. Our deficit was just over 1 percent of our total economy, as opposed to today, where it is nearly 10 percent of our total economy. I fully acknowledge that we cannot get there overnight, as much as many of us would like to. We have dug a deep hole. We are borrowing almost 40 cents of every dollar we spend. It would be too sudden and Draconian to think we could balance the budget overnight. So we suggested a path that might take 8 or 9 or 10 years to actually reach a balance, but it would surely put us on a path that would get us there, and that would be enormously constructive, not only in the sense that it would ensure the long-term fiscal viability of our country, which is in and of itself an absolutely vital goal, but it would also create some certainty in the market, reduce the risk of huge inflation and huge interest rates and the other dangers that accompany the irresponsibly large deficits, and in the process help to encourage stronger economic growth and job creation.

I think we ought to be flexible in how we get there. We have proposed one way. It is not the only way to do it, but it, importantly, is premised on this principle that we can reach a balance and we ought to do that. It is absolutely critical that we demonstrate that we have the political will and the ability to tackle this, arguably the biggest challenge we face.

We have seen what has been unfolding in Europe because they chose not to tackle these problems in recent years. I suggest we are not that far behind some of the countries in Europe that are in the middle of truly devastating sovereign debt crises. We are not quite there yet, but if we do not change the path we are on, that is the direction we are heading.

Let me walk through the particular items in this approach we are advocating in which we would cut, cap, and balance.

First is to cut spending. We are suggesting a cut from the 2011 levels of $142 billion. That is actually less than

4 percent of the amount of money the government spent last year—we are still in the current year, but the fiscal year of 2011. It would still spend more than we spent in 2010, so it is very hard to see how this could fairly be described as any kind of Draconian cut. It is a very modest cut in spending. By 2012, the levels will be almost $½ trillion more than the levels of spending in 2008. But that is the first step, to cut spending in the immediate future, in this next fiscal year.

The second is to cap spending over the next several years. To do this, we have established a set of caps, statutory limits on how much the government can spend each year based on the level of spending in the budget resolution I introduced on the Senate floor, which had almost all the Republicans' support. I wish we had some Democratic support, and I still hope we will get some. But the important thing about this budget resolution and these cap levels is they reach a balance—not overnight; it takes 9 years. But by controlling spending and adopting progrowth policies that encourage an expanding economy, we would, following these cap levels, be able to balance our budget. Then, finally, we are advocating that as part of this package, as part of an arrangement, we would agree to raise the debt ceiling. We would also pass in both the House and Senate a balanced budget amendment to the Constitution and send it off to the States.

We would not suggest the increase in the debt limit be contingent upon State option, but I am confident the States would, in fact, pass a balanced budget amendment to the Constitution if we in Congress would send it to them. It would have three big features and, again, the details ought to be a subject of discussion. One that would not be open for negotiation would be that the first outlays need to equal revenues. That is obviously the fundamental definition of a balance. We don't run deficits; we make sure we spend no more than we take in.

The second aspect some of us feel strongly about, and I am one of them, is we ought to limit spending as a percentage of our economy so the economy doesn't keep growing, which is what happens when the government occupies too large a segment of our economy.

Finally, we have advocated that we not create a mechanism that simply guarantees big tax increases in order to balance the budget, and to do that we would like—and we have included—a supermajority requirement to raise taxes so that a simple majority wouldn't be enough. It would require a supermajority which would only occur, presumably, in truly extraordinary circumstances.

I believe very strongly we can have strong economic growth and the job creation we need, but to get there we have to create an environment in Washington; we have to pass legislation and create an environment that encourages risk taking, encourages business formation, encourages new hiring, and we have not been doing such a good job. One of the ways to do that is to put us on a sustainable, viable fiscal path, and the cut, cap, and balance approach would do that.

We would raise the debt limit by the full amount that the President has asked for provided he agree with us to put this country on a path to a balanced budget. I do not think that is asking too much. I think that is a way to achieve long-term fiscal sustainability, and just as importantly it is a way to create an environment for the strong economic growth and job creation we need.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I request unanimous consent to speak up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. NELSON of Florida pertaining to the introduction of S. 1364 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

MORNING BUSINESS

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

CORPORAL BRANDON M. KIRTON

Mr. BENNET. Mr. President, it is with great sadness that I report the passing of a brave soldier, loving son, dedicated husband, and proud father from Centennial, CO. CPL Brandon M. Kirton died on May 18, 2011, in Kandahar Province, Afghanistan, of injuries sustained when his dismounted patrol received small arms and mortar fire. This is one of the most strategically important areas of Afghanistan. He was 25 years old.

Family and friends remember Corporal Kirton as a warm, lighthearted young man. Robert Kirton, his father, said that his son's cheerful disposition at home provided a great contrast to the solemn commitment with which he faced his duties as a soldier. This makes perfect sense, Robert said, because Corporal Kirton had dreamed of putting on an Army uniform from an early age.

Corporal Kirton attended Englewood High School in Englewood, CO, where he was a member of the baseball and soccer teams. He enlisted in the Army shortly after his graduation in 2004, and he was assigned to C Company, 2nd Battalion, 502nd Infantry Regiment, 101st Airborne Division, based at Fort Campbell, KY. Corporal Kirton served a tour of duty in Iraq and one in Afghanistan—both with distinction.

His record as a soldier demonstrates the Army's proudest traditions of valor, commitment to duty, and strength of character. Corporal Kirton was carrying 70 pounds of gear when CPT Gary Flowers, his commander, first met him in Afghanistan in 115-degree heat. Captain Flowers offered to shoulder a bag for him, an offer which Corporal Kirton declined. He simply replied, ''Are you kidding me?''

Corporal Kirton's commanding officers immediately recognized his exceptional bravery and talent. He earned, among other decorations, the Bronze Star Medal, the Purple Heart Medal, the Afghanistan Campaign Medal, the Iraq Campaign Medal, and the Global War on Terrorism Service Medal.

Mark Twain once said, ''The fear of death follows from the fear of life. A man who lives fully is prepared to die at any time.'' Corporal Kirton's service was in keeping with this sentiment by selflessly putting country first, he lived life to the fullest. He lived with a sense of the highest honorable purpose.

Mr. President, I stand with Colorado and people nationwide in profound gratitude for Corporal Kirton's tremendous sacrifice. He followed through on his dream of becoming a soldier in the U.S. Army and served honorably in Iraq and Afghanistan when his country needed him most. We are forever humbled by and indebted to the memory of his courageous actions. I ask my colleagues to join in me extending our deepest respects and condolences to Corporal Kirton's family.

THE GOLDEN EAGLE AWARD

Mr. ENZI. Mr. President, I rise today to recognize two of Wyoming's best ski areas—Grand Targhee and the Jackson Hole Mountain Resort—for their hard work and commitment to better management practices. Their records of improving efficiency, reducing energy use, promoting better environmental management, and focusing on sustainable operations have earned them the 2011 National Ski Areas Association Golden Eagle Award for Overall Environmental Excellence. The Golden Eagle Award is presented to ski areas and resorts that have shown a true commitment to making sure our great outdoors will be enjoyed for years to come. I congratulate Grand Targhee and Jackson Hole Mountain Resort for their accomplishments. Wyoming is proud to be home to both of these great ski opportunities.

Jackson Hole Mountain Resort has a history of environmental excellence. They have earned their 2011 Golden Eagle Award for working for 5 years to implement an integrated environmental management system to achieve the International Organization for Standardization's, ISO, 140001 standards. This system is an overall approach to sustainability, continual improvement, and a future of responsible

stewardship of some of the most pristine areas in our country. But this isn't the first time that Jackson Hole Mountain Resort has been recognized for environmental excellence. They have a history of commitment to sound environmental management going back 15 years. They first received the Golden Eagle Award in 1995, and were also awarded a Silver Eagle Award for Excellence in Energy Conservation and Clean Energy in 2003, as well as a Silver Eagle Award for Excellence in Visual Impact in 2005.

Grand Targhee has also worked hard to demonstrate their commitment to environmental quality. This year, they are being recognized with a Golden Eagle Award for committing to reduce their energy use by 10 percent, and then exceeding their goal and achieving an energy savings of 18 percent. Their investments in energy efficiency upgrades, weatherization, and better management practices helped them meet and exceed their goals for improving their energy use. This year marks the third award for environmental excellence for Grand Targhee. In 2008, they received the Silver Eagle Award for Excellence in Waste Reduction and Recycling, and in 2009 they received their first Golden Eagle Award.

Both Jackson Hole Mountain Resort and Grand Targhee have been operating in the Teton Range since the 1960s. They have a history of being some of the best ways to experience Wyoming's amazing landscapes. Their commitment to sound environmental management, conservation, and improving how they use energy demonstrates their commitment to being part of Wyoming's futures for years to come.

I congratulate both resorts for this tremendous accomplishment. It is truly an honor to receive the Golden Eagle Award from the National Ski Areas Association and is one more example of Wyoming businesses leading the way.

Mr. BARRASSO. Mr. President, I rise today to compliment two Wyoming ski resorts for their dedication to environmental excellence. Grand Targhee and Jackson Hole Mountain Resort each received the 2011 National Ski Areas Association Golden Eagle Award for Environmental Excellence. The Golden Eagle Award is the most prestigious environmental honor given by the ski industry.

Grand Targhee received the award in the small ski area category for their efforts to reduce energy consumption. Grand Targhee's stated goal was to reduce energy use by 10 percent below their previous 5-year average. By implementing better management practices, investing in energy-efficient upgrades and retrofits, and weatherizing their buildings, the resort almost doubled their original goal by realizing an 18 percent reduction in energy use. Environmental success is not new for Grand Targhee. In 2008 they received the Silver Eagle Award for Excellence in Waste Reduction and Recycling, followed by their first Golden Eagle Award in 2009.

In the medium-sized ski area category, the Golden Eagle Award was presented to Jackson Hole Mountain Resort. This recognition is the result of a long-term dedication to environmental management. For the past 5 years, Jackson Hole Mountain Resort's environmental management system has met the 140001 standards for the International Organization for Standardization, ISO. This lofty benchmark has been achieved now by only two resorts in the United States. Jackson Hole Mountain Resort's steadfast approach to sustainable environmental management practices is an ongoing commitment. This award is the fourth time Jackson Hole Mountain Resort has been honored. In 1995 they also received the Golden Eagle Award, followed by Silver Eagle Awards for Excellence in Energy Conservation and Clean Energy and Excellence in Visual impact in 2003 and 2005, respectively.

Mr. President, Grand Targhee and Jackson Hole Mountain Resort's ongoing commitment to environmental excellence are outstanding examples of the private sector working to preserve our natural resources. Wyoming is a wonderful place to live, work, and recreate. I want to congratulate each resort and their employees for hard work and dedication. The National Ski Areas Association Golden Eagle Award is a tribute to their achievements. Because of their efforts, the natural wonder of Wyoming's landscapes will continue to be enjoyed now and in the future by those who ski our slopes.

REMEMBERING KIP TIERNAN

Mr. BROWN of Massachusetts. Mr. President, I rise today in tribute to Ms. Kip Tiernan of Boston, MA, who died on July 2. Kip was an immense force for good and a towering figure in the fight to better the lives of the less fortunate.

Kip Tiernan was, herself, accustomed to loss and struggle and redemption. A child of the Depression, Kip lost both parents by age 11 and was raised by her grandmother who taught her by example the importance of helping those in need. At a time when young women were discouraged from taking a stand or speaking out she was precocious, learning to fly a plane while still a teenager.

She led a remarkable life not just in spite of her own struggles but perhaps because of them. Her early years were marked by her own struggle with substance abuse. She spoke openly about the consequences of her drinking and how her recovery from alcoholism helped her to empathize with the women she would help.

Kip is best known for founding Rosie's Place in 1974, the Nation's first homeless shelter for women. Rosie's Place is a remarkable institution that has grown from simply providing emergency shelter and a hot meal to assisting women of all ages to put their lives back together. Each year they serve nearly 75,000 meals, hand out tons of groceries, provide thousands of hours of counseling and educational services, help dozens of low-income homeowners to avoid eviction or find permanent housing, and deliver numerous other services to thousands of women.

In addition to Rosie's Place, Kip helped found the Boston Food Bank, the Boston Women's Fund, Community Works, Transition House, Aid to Incarcerated Mothers, Food for Free, Finex House, John Leary House, My Sister's Place, the Greater Boston Union of the Homeless, and numerous other organizations dedicated to providing immediate help and longer term assistance to the poor and homeless.

It is impossible to measure with any accuracy the impact of Rosie's Place and the many other organizations that Kip helped to found. We will never know just how many women were saved from dangerous streets or abusive relationships. Nor can we estimate how many children and families were spared the depravation and indignity of a life on the streets. We can never be sure how many people who were touched by Kip were inspired to go on to help others.

Kip once said: Compassion is a discipline; it's not just a smiley face. She knew that helping on a larger scale required organization. She used her own marketing and PR skills to raise money and awareness for various groups and knew that running increasingly sophisticated operations that served thousands required recruiting other professionals with their own God-given talents.

People may disagree about how best to fight poverty or help the neediest among us, but there should be no disagreement that Kip Tiernan transcended the disagreements and politics by committing herself to do the hard work, the sometimes uncomfortable work of demonstrating compassion and helping others one on one.

While some volunteer a day or two a year, Kip made it her life's work. Kip Tiernan leaves behind an incredible legacy of service and love. Our city, State, and world are far better places because of her.

McCALL, IDAHO

Mr. RISCH. Mr. President, I rise today to congratulate and acknowledge the 100th anniversary of the founding of the city of McCall, ID. On July 19, 2011, the citizens of McCall will gather at Depot Park to commemorate the 100th year of its founding. This is a very historic and special day for this central Idaho community.

From its early days as a settlement in 1818, McCall has embodied the frontier spirit and entrepreneurship that makes the United States a land of opportunity. After a discovery of gold in the Salmon River Mountains, miners

advanced along the west side of Payette Lake, accelerating the construction of Warren Wagon Road. Around 1890, the town's namesake, Tom McCall, plotted a 4-block town site from his homestead on the south end of the lake, taking in the abandoned Lardo U.S. Post Office.

In the years following, there was an extraordinary amount of growth. Tom McCall bought the Warren Gold Dredging Company sawmill, thus initiating his lumber company that provided lumber for the manufacturing of business buildings, hotels, and homes until the 1970s. A school and post office were also established, with McCall naming himself postmaster. A few short years later, the town was officially incorporated on July 19, 1911.

In 1914, the railroad arrived in McCall bringing with it scores of tourists. McCall's picturesque location on the shores of Payette Lake and abundant snowfall and hot, dry summers make it a natural vacation destination. And yes, this glacially-carved lake, nearly 400 feet deep, is rumored to be the home of a sea serpent named ''Sharlie,'' which has been sighted by tourists and locals alike over the past century.

The winter of '24 spawned the annual winter carnival. Its spectacular snow sculptures now draw thousands each year. Even Hollywood took notice of this beauty in 1938, when McCall served as the elaborate backdrop of the Academy Award-nominated movie, ''Northwest Passage.''

Today, McCall is known as an alluring all-season vacation destination anchored by historic Shore Lodge and the ski slopes at nearby Brundage Mountain, which forge the frontier spirit of its people and enhance its natural beauty. McCall has much to celebrate and look forward to in its next century.

Congratulations to the vibrant town of McCall for 100 years of success.

ADDITIONAL STATEMENTS

PARKSTON, SOUTH DAKOTA

• Mr. JOHNSON of South Dakota. Mr. President, today I wish to recognize the community of Parkston, SD, on reaching the 125th anniversary of its founding. This vibrant town in Hutchinson County truly is, as its motto states: ''A Great Place to Grow.''

Originally founded as Dakota City by Peter Swartz in 1880, Parkston as we know it today was moved to its current location in order to be closer to the Milwaukee and St. Paul Railroad built running from Scotland to Mitchell. The town was thus renamed Parkston in honor of Edwin R. Parks, the resident engineer of that division of the railroad because, as the Dakota City Advance put it: ''Mr. Parks is a first class fellow and Parkston is a first class town.''

Today, as with many rural communities, Parkston takes particular pride in their school system, home of the Trojans. Parkston students consistently rank high on achievement exams, a testament to their dedication to education. Local small businesses provide a continually growing economic sector for the town. Parkston is also known for the Klauss-James Archive & Art Museum, which houses the Klauss Archive of music manuscripts, and watercolors and drawings of Bernard Albert James. The citizens of Parkston plan to celebrate this milestone with many community events including a parade, live music, golf tournament, talent show, and an all-school reunion.

Over the past 125 years, Parkston has become a shining star in South Dakota. I commend small towns, such as Parkston, for their residents' sense of community pride and friendship that is evident to all. Congratulations to Parkston and their citizens for all their achievements, and I look forward to seeing what they will achieve in the future and wish them well on all their endeavors.•

TRENT, SOUTH DAKOTA

• Mr. JOHNSON of South Dakota. Mr. President, today, I wish to pay tribute to the 125th anniversary of the founding of Trent, SD. Located along the historic Milwaukee Railroad line, Trent is a humble community in Moody County. On July 22 to 24, 2011, the citizens of Trent will celebrate their town's proud past and look forward to its promising future.

At the time of its founding in 1886, Trent was often referred to as Brookfield. The railroad requested that the town of Brookfield officially change its name to Trent in order to avoid confusion with a town of the same name on the line. In 1903, Trent was moved to higher ground east of the railroad tracks due to continual flooding. Today, Trent is home to a community pool, known as the ''Swimming Hole,'' and numerous shops, restaurants, and other local businesses.

Trent will be commemorating 125 years of rich history with a community potluck, dance, and free swimming on Sunday. The community will celebrate with many activities including a fishing derby, parade, pork loin feed, horseshoes, mud volleyball, and even cardboard and duct tape boat races.

Trent continues to grow and thrive, even 125 years after its founding. I congratulate the residents of Trent, SD as they celebrate the town's quasquicentennial and wish them continued success and prosperity in the years to come. It is truly an honor and a privilege to represent the people of the exceptional town of Trent.•

MESSAGE FROM THE HOUSE

At 4:20 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1309. An act to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1309. An act to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. GILLIBRAND (for herself and Mr. SANDERS):

S. 1352. A bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to include freight and passenger rail among eligible uses of funding under the coordinated border infrastructure program and to reauthorize that program; to the Committee on Environment and Public Works.

By Mr. WICKER (for himself, Ms. COLLINS, and Mr. PAUL):

S. 1353. A bill to exclude employees of the Transportation Security Administration from the collective bargaining rights of Federal employees and provide employment rights and an employee engagement mechanism for passenger and property screeners; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. HAGAN:

S. 1354. A bill to authorize grants to promote media literacy and youth empowerment programs, to authorize research on the role and impact of depictions of girls and women in the media, to provide for the establishment of a National Task Force on Girls and Women in the Media, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN (for herself and Mr. DURBIN):

S. 1355. A bill to regulate political robocalls; to the Committee on Rules and Administration.

By Mr. BROWN of Massachusetts (for himself, Mr. WYDEN, and Mr. MCCAIN):

S. 1356. A bill to amend title XIX of the Social Security Act to encourage States to increase generic drug utilization under Medicaid, and for other purposes; to the Committee on Finance.

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 1357. A bill to exempt National Forest System land in the State of Alaska from the Roadless Area Conservation Rule; to the Committee on Energy and Natural Resources.

By Mr. TESTER:

S. 1358. A bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself and Mr. BEGICH):

S. 1359. A bill to make the National Parks and Federal Recreation Lands Pass available at a discount to members of the Armed Forces and veterans; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ (for himself, Mr. BLUMENTHAL, Mr. LAUTENBERG, Mr. WHITEHOUSE, Mr. BROWN of Ohio, and Mrs. FEINSTEIN):

S. 1360. A bill to amend the Securities Exchange Act of 1934 to require shareholder authorization before a public company may make certain political expenditures, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KERRY:

S. 1361. A bill to reduce human exposure to endocrine-disrupting chemicals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WEBB:

S. 1362. A bill to simplify the Trafficking in Persons Report by reducing the number of country categories and ranking countries within each category according to their relative adherence to the minimum standards set forth in section 108 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106); to the Committee on Foreign Relations.

By Mr. ROCKEFELLER:

S. 1363. A bill to amend titles 10 and 41, United States Code, to allow contracting officers to consider information regarding domestic employment before awarding a Federal contract, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON of Florida:

S. 1364. A bill to ensure the timely payment of Social Security benefits in August 2011; to the Committee on Finance.

By Mrs. HUTCHISON:

S. 1365. A bill to provide funds to ensure that members of the Armed Forces, including reserve components thereof, and supporting civilian personnel continue to receive pay and allowances for active service performed when a funding gap caused by the failure to enact interim or full-year appropriations for the Armed Forces occurs, which results in the furlough of non-emergency personnel and the curtailment of Government activities and services; to the Committee on Armed Services.

By Ms. CANTWELL (for herself, Mr. CRAPO, and Mrs. MURRAY):

S. 1366. A bill to amend the Internal Revenue Code of 1986 to broaden the special rules for certain governmental plans under section 105(j) to include plans established by political subdivisions; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ (for himself and Mr. COBURN):

S. Res. 232. A resolution recognizing the continued persecution of Falun Gong practitioners in China on the 12th anniversary of the campaign by the Chinese Communist Party to suppress the Falun Gong movement, recognizing the Tuidang movement whereby Chinese citizens renounce their ties to the Chinese Communist Party and its affiliates, and calling for an immediate end to the campaign to persecute Falun Gong practitioners; to the Committee on Foreign Relations.

By Mr. NELSON of Florida (for himself, Mr. BROWN of Ohio, Mrs. HUTCHISON, Mr. BOOZMAN, Mr. ROCKEFELLER, Ms. MIKULSKI, Mr. RUBIO, Mr. UDALL of Colorado, Mr. WARNER, and Mr. VITTER):

S. Res. 233. A resolution honoring the men and women of the National Aeronautics and Space Administration Space Shuttle Program on reaching the historic milestone of the 135th and final flight of the Space Transportation System; considered and agreed to.

ADDITIONAL COSPONSORS

S. 44

At the request of Ms. KLOBUCHAR, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 44, a bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries.

S. 48

At the request of Mr. INOUYE, the names of the Senator from Nevada (Mr. REID) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 48, a bill to amend the Public Health Service Act to provide for the participation of pharmacists in National Health Services Corps programs, and for other purposes.

S. 82

At the request of Mr. JOHANNS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 82, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs, to repeal the sunset of the Patient Protection and Affordable Care Act with respect to increased dollar limitations for such credit and programs, and to allow the adoption credit to be claimed in the year expenses are incurred, regardless of when the adoption becomes final.

S. 133

At the request of Mrs. MCCASKILL, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 133, a bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress.

S. 164

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 164, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 384

At the request of Mrs. FEINSTEIN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Iowa (Mr. HARKIN) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. 384, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

S. 412

At the request of Mr. LEVIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 412, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 534

At the request of Mr. KERRY, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 534, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 539

At the request of Mr. WHITEHOUSE, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 539, a bill to amend the Public Health Services Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes.

S. 745

At the request of Mr. SCHUMER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 745, a bill to amend title 38, United States Code, to protect certain veterans who would otherwise be subject to a reduction in educational assistance benefits, and for other purposes.

S. 800

At the request of Mr. HARKIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 800, a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to reauthorize and improve the safe routes to school program.

S. 807

At the request of Mr. ENZI, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 807, a bill to authorize the Department of Labor's voluntary protection program and to expand the program to include more small businesses.

S. 838

At the request of Mr. TESTER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 838, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

S. 906

At the request of Mr. WICKER, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 906, a bill to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes.

S. 968

At the request of Mr. LEAHY, the name of the Senator from Maryland

(Mr. CARDIN) was added as a cosponsor of S. 968, a bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1049

At the request of Mr. KYL, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1049, a bill to lower health premiums and increase choice for small business.

S. 1107

At the request of Mr. MENENDEZ, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1107, a bill to authorize and support psoriasis and psoriatic arthritis data collection, to express the sense of the Congress to encourage and leverage public and private investment in psoriasis research with a particular focus on interdisciplinary collaborative research on the relationship between psoriasis and its comorbid conditions, and for other purposes.

S. 1147

At the request of Mr. BLUMENTHAL, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1147, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and service to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes.

S. 1228

At the request of Mr. WHITEHOUSE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1228, a bill to prohibit trafficking in counterfeit military goods or services.

S. 1251

At the request of Mr. CARPER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1251, a bill to amend title XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.

S. 1257

At the request of Mr. BINGAMAN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1257, a bill to establish grant programs to improve the health of border area residents and for all hazards preparedness in the border area including bioterrorism and infectious disease, and for other purposes.

S. 1265

At the request of Mr. BINGAMAN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1265, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 1280

At the request of Mr. ISAKSON, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of S. 1280, a bill to amend the Peace Corps Act to require sexual assault risk-reduction and response training, and the development of sexual assault protocol and guidelines, the establishment of victims' advocates, the establishment of a Sexual Assault Advisory Council, and for other purposes.

S. 1292

At the request of Mr. TOOMEY, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 1292, a bill to require the Administrator of the Environmental Protection Agency to consider the impact on employment levels and economic activity prior to issuing a regulation, policy statement, guidance document, endangerment finding, or other requirement, implementing any new or substantially altered program, or denying any permit, and for other purposes.

S. 1297

At the request of Mr. BURR, the names of the Senator from South Dakota (Mr. THUNE), the Senator from Kansas (Mr. MORAN), the Senator from North Dakota (Mr. HOEVEN) and the Senator from South Carolina (Mr. DEMINT) were added as cosponsors of S. 1297, a bill to preserve State and institutional authority relating to State authorization and the definition of credit hour.

S. 1308

At the request of Mr. HATCH, the name of the Senator from Florida (Mr. RUBIO) was withdrawn as a cosponsor of S. 1308, a bill to amend title 18, United States Code, with respect to child pornography and child exploitation offenses.

S. 1313

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1313, a bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes.

S. 1316

At the request of Mr. ENZI, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 1316, a bill to prevent a fiscal crisis by enacting legislation to balance the Federal budget through reductions of discretionary and mandatory spending.

S. 1340

At the request of Mr. LEE, the names of the Senator from Texas (Mr. CORNYN), the Senator from Kansas (Mr. MORAN), the Senator from North Carolina (Mr. BURR), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Nebraska (Mr. JOHANNS) were added as cosponsors of S. 1340, a bill to cut, cap, and balance the Federal budget.

S. 1341

At the request of Mr. SESSIONS, the names of the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 1341, a bill to provide a point of order against consideration of any measure that would increase the statutory limit on the public debt above $14.294 trillion unless that measure has been publicly available for a full 7 calendar days before consideration on the floor of the Senate.

S.J. RES. 17

At the request of Mr. MCCONNELL, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from North Dakota (Mr. HOEVEN) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S.J. RES. 19

At the request of Mr. HATCH, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S. RES. 175

At the request of Mrs. SHAHEEN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. Res. 175, a resolution expressing the sense of the Senate with respect to ongoing violations of the territorial integrity and sovereignty of Georgia and the importance of a peaceful and just resolution to the conflict within Georgia's internationally recognized borders.

S. RES. 226

At the request of Mr. GRAHAM, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. Res. 226, a resolution expressing the sense of the Senate that the President does not have the authority to ignore the statutory debt limit by ordering the Secretary of the Treasury to continue issuing debt on the full faith and credit of the United States.

S. RES. 228

At the request of Mr. LAUTENBERG, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. Res. 228, a resolution expressing the sense of the Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 PM Eastern Daylight Time on September 11, 2011, in honor of the

10th anniversary of the terrorist attacks committed against the United States on September 11, 2001.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself and Mr. DURBIN):

S. 1355. A bill to regulate political robocalls; to the Committee on Rules and Administration.

Mrs. FEINSTEIN. Mr. President, today I am introducing the Robocall Privacy Act, a simple, straight-forward bill that would allow continued political outreach through prerecorded phone messages, but protect American families from being inundated by calls throughout the day and night. I am pleased to be joined by Senator DURBIN.

In recent years, we have seen an increase in the development of new technologies that help political candidates reach out to voters. This is a good thing. Political speech is essential and should be protected. The vast majority of these developments strengthen the Democratic process by promoting an interchange of information and ideas.

One of these developments is the robocall—a prerecorded message that can be sent out to tens of thousands of voters at a minor cost through computer automation. With television and radio ads becoming so expensive, these prerecorded calls can play an important role in alerting voters to a candidate's position and urging their support at the polls.

But the process can be abused. Throughout recent elections, we have continued to hear stories about people being inundated with phone calls throughout the day and night. There is simply no good reason why Americans wanting a good night's sleep should be awakened at 4:30 in the morning by a robocall.

Commercial calls are already limited by the Federal Trade Commission's ''Do Not Call'' list, which millions of individuals have registered for. But political calls are specifically exempted from this list.

Let me be clear: I am not seeking to eliminate all robocalls. Instead, this legislation is carefully designed to provide some safeguards. Let me tell you exactly what this bill would do.

It would ban political robocalls between the hours of 9 p.m. and 8 a.m.

It would ban any campaign or group from making more than two robocalls to the same telephone number in a single day.

It would prohibit the organizer of any robocall from blocking the ''caller identification'' number and require an announcement at the beginning of the call indentifying the individual or organization making the call, and the fact that it is a prerecorded message. This is to prevent robocalls from misleading the recipient of the call.

The enforcement provisions of this bill are simple and directed toward stopping the worst of these calls. The bill would create a civil fine for violators of the law, with additional fines for callers who willfully violate the law.

The bill also allows voters to sue to stop those calls immediately, but not receive monetary damages. A judge can order violators of the law to stop these abusive calls.

Let me briefly describe a few incidents that showcase why the provisions in this bill are so important.

On Election Day in 2010, over 110,000 Maryland voters began receiving anonymous robocalls instructing them to ''relax'' and stay home because Governor Martin O'Malley had already won re-election. These calls came a full two hours before the polls would close.

Days before the 2010 Midterm elections, voters in Kansas received anonymous robocalls telling them to bring a voter registration card and proof of home ownership to the polls on Wednesday. Not only are these items not required to vote, but as we know, the election was on a Tuesday.

Similarly, in my home state of California, about two dozen Los Angeles residents complained of receiving Spanish language robocalls from an unidentifiable source instructing them to vote on Wednesday, November 3—the day after Election Day.

Shortly before last year's elections, individuals in St. Louis, Missouri, heard their phones ring and checked the caller ID to find a number belonging to a local hospital. Expecting the worst, they answered the call. The voice on the other end was not a hospital employee, but rather a prerecorded political message from an organization that had been able to manipulate caller ID devices to make it seem as if the calls were coming from emergency officials.

In October 2010, 50,000 Nevadans were awoken at 1 a.m. by a robocall regarding a ballot question in the state that would change the judicial selection process. The calls came in the middle of the night due to a programming error—they were supposed to be made at 1 p.m.

To be clear, incidences like these involving the malicious or untimely use of robocalls are not unique to the recent election.

In a Maryland race in November 2006, in a conservative area residents received a middle-of-the-night robocall from the nonexistent ''Gay and Lesbian Push Organization,'' urging them to support one of the candidates. That candidate lost the election, in part because of the false, late-night call.

In the 2006 Congressional elections, many calls wrongly implied that one candidate was making a robocall. The message began with a recorded voice stating that the call contained information about U.S. Representative Melissa Bean. Some voters called Bean's office to complain without listening to the entire message, which eventually identified an opposing party committee as the sponsor—when most voters had hung up. Representative Bean had to spend campaign funds informing voters she had not made that call.

I am a strong supporter of the First Amendment protection for political speech, but the worst of these calls are disturbing people in their homes and spreading misleading and outright false information. Something must be done to rein in the robocalls which perpetrate these actions.

This bill presents a solution. It does not ban robocalls. It merely provides a reasonable framework of tailored time, place, and manner restrictions.

I hope my colleagues will join me in supporting the Robocall Privacy Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1355

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Robocall Privacy Act of 2011''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Abusive political robocalls harass voters and discourage them from participating in the political process.

(2) Abusive political robocalls infringe on the privacy rights of individuals by disturbing them in their homes.

SEC. 3. DEFINITIONS.

For purposes of this Act—

(1) POLITICAL ROBOCALL.—The term ''political robocall'' means any outbound telephone call—

(A) in which a person is not available to speak with the person answering the call, and the call instead plays a recorded message; and

(B) which promotes, supports, attacks, or opposes a candidate for Federal office.

(2) IDENTITY.—The term ''identity'' means, with respect to any individual making a political robocall or causing a political robocall to be made, the name of the sponsor or originator of the call.

(3) SPECIFIED PERIOD.—The term ''specified period'' means, with respect to any candidate for Federal office who is promoted, supported, attacked, or opposed in a political robocall—

(A) the 60-day period ending on the date of any general, special, or run-off election for the office sought by such candidate; and

(B) the 30-day period ending on the date of any primary or preference election, or any convention or caucus of a political party that has authority to nominate a candidate, for the office sought by such candidate.

(4) OTHER DEFINITIONS.—The terms ''candidate'' and ''Federal office'' have the respective meanings given such terms under section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431).

SEC. 4. REGULATION OF POLITICAL ROBOCALLS.

It shall be unlawful for any person during the specified period to make a political robocall or to cause a political robocall to be made—

(1) to any person during the period beginning at 9 p.m. and ending at 8 a.m. in the place which the call is directed;

(2) to the same telephone number more than twice on the same day;

(3) without disclosing, at the beginning of the call—

(A) that the call is a recorded message; and

(B) the identity of the person making the call or causing the call to be made; or

(4) without transmitting the telephone number and the name of the person making the political robocall or causing the political robocall to be made to the caller identification service of the recipient.

SEC. 5. ENFORCEMENT.

(a) ENFORCEMENT BY FEDERAL ELECTION COMMISSION.—

(1) IN GENERAL.—Any person aggrieved by a violation of section 4 may file a complaint with the Federal Election Commission under rules similar to the rules under section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)).

(2) CIVIL PENALTY.—

(A) IN GENERAL.—If the Federal Election Commission or any court determines that there has been a violation of section 4, there shall be imposed a civil penalty of not more than $1,000 per violation.

(B) WILLFUL VIOLATIONS.—In the case the Federal Election Commission or any court determines that there has been a knowing or willful violation of section 4, the amount of any civil penalty under subparagraph (A) for such violation may be increased to not more than 300 percent of the amount under subparagraph (A).

(b) PRIVATE RIGHT OF ACTION.—Any person may bring in an appropriate district court of the United States an action based on a violation of section 4 to enjoin such violation without regard to whether such person has filed a complaint with the Federal Election Commission.

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 1357. A bill to exempt National Forest System land in the State of Alaska from the Roadless Area Conservation Rule; to the Committee on Energy and Natural Resources.

Mr. BEGICH. Mr. President, I wish to speak about legislation I am introducing today that would repeal an ill-fitting and broad-reaching rule that limits not only timber harvest and mining but important renewable energy projects in Southeast Alaska.

In March of this year, a Federal District Court ruling set aside the 2003 Tongass Exemption and reinstated the application of the 2001 Roadless Area Conservation Rule in the Tongass National Forest. This decision means that the Tongass National Forest is now managed by a cookie-cutter rule imposed upon all national forests rather than by the 2008 Tongass Land Management Plan developed by Forest Service personnel under a wide reaching multi-year collaboration with Alaskans.

This will have a severe impact and reverse efforts to revitalize local communities and increase economic diversification throughout the region. Over the past few months, I have spoken with Tongass Forest Supervisor Forest Cole and Department of Agriculture staff about what flexibility they have under the rule.

I appreciate that Secretary Vilsack and the plaintiffs in this most recent court case recognize the importance of hydropower development, mining and personal use wood policies to the economy of Southeast Alaska. However, what I have read of their settlement agreement doesn't offer any certainty that there won't be more challenges and delays. Our experience over the past decade suggests there will be.

With lots of demands on the Tongass Forest, the Forest Service needs greater flexibility to address these issues while crafting a reasonably sized timber sale program that keeps the few existing mills alive and allows for modest expansion into second growth markets. Unemployment in the rural portions of Southeast Alaska currently averages more than 15 percent. Energy costs in these non-hydropower communities are too high as well. Instead of adding options, the roadless rule takes them away. It is time once and for all to do away with the rule in Alaska.

I want to thank my colleague, Senator MURKOWSKI, for joining me as a cosponsor.

By Mr. KERRY:

S. 1361. A bill to reduce human exposure to endocrine-disrupting chemicals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. KERRY. Mr. President, today I am introducing the Endocrine-Disrupting Chemicals Exposure Elimination Act to create a research program through the National Institute of Environmental Health Sciences to further endocrine related research.

There are approximately 80,000 known chemicals in our environment that are potentially harmful. Many of those chemicals have never been tested to determine if they are damaging to human health. Products that American families use every day such as household cleaners, cosmetics, and personal care products could actually be causing them harm.

This legislation establishes the Endocrine Disruption Expert Panel to study and evaluate up to 10 chemicals per year that are potentially endocrine-disrupting to determine whether they have a high, substantial, minimal, or no level of concern. Any chemical that is deemed a high level of concern could be banned from use within 2 years. This commonsense approach provides vital protections against harmful chemicals while giving industry an opportunity to either find a way to eliminate human exposure to the toxin or eliminate it from use.

The increased rate of disorders affecting the human endocrine system is alarming. Children developing in the womb are particularly vulnerable. Many scientists believe there are connections between effects on the endocrine system and the chemicals around us, and it is time to do more about it.

This bill promotes action based on hard, scientific evidence. I urge all my colleagues to support it.

By Mr. ROCKEFELLER:

S. 1363. A bill to amend titles 10 and 41, United States Code, to allow contracting officers to consider information regarding domestic employment before awarding a Federal contract, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. ROCKEFELLER. Mr. President, today I am introducing the American Jobs Matter Act, legislation that will promote domestic job creation in the field of Federal contracting.

We must do all that we can to stop the outward migration of jobs. This bill takes the important step of directing the Federal Government to notify contract applicants that it may consider American job impact when deciding which bids to accept. The government would then be allowed to use that information in making award decisions.

There should be no greater champion of American-made goods than the Federal Government. Members of Congress come from 50 States and 435 districts and we each know of the special skill sets that our constituents possess and how fortunate the Federal Government would be to have these employees working on Federal projects. Yet our flawed procurement policy has no mechanism to assess the impact of government purchasing on American jobs.

This bill seeks to change that. Under the American Jobs Matter Act, contractors will be allowed to submit information related to the net effect of their offer on American employment. This information could include the number of American jobs expected to be created or retained as a result of the work. Bidders would also be allowed to guarantee that the jobs created would not be moved outside the United States after the contract is awarded. The legislation would finally give Federal agencies the ability to assess the impact of procurement decisions on American jobs. It does not dictate that a contract go to the applicant that will create the most jobs. It just elevates job creation to its right place in the hierarchy of criteria that should be studied before making a decision.

The American Jobs Matter Act would be an important step towards promoting a vibrant manufacturing base which is essential to our standard of living, the health of our communities, and ensuring our long-term economic security.

I want to thank my counterpart from the House of Representatives, Representative CHRIS MURPHY, for his leadership in that body on this legislation. I ask my colleagues to join me in supporting this important legislation and thank the chair for allowing me to speak on this issue.

By Mr. NELSON of Florida:

S. 1364. A bill to ensure the timely payment of Social Security benefits in August 2011; to the Committee on Finance.

Mr. NELSON of Florida. Mr. President, the Budget Committee chairman, the Senator from North Dakota, has, in fact, laid out a budget. It puts us on a serious road toward budget balance by utilizing real numbers, not sleight of

hand numbers, not budget fakery numbers, not a budget as a political document but a budget as an economic document. And it nips—indeed, it savages—the annual deficit and the Federal debt of $4 trillion over 10 years.

This is real money, and it is real money that is basically in balance between $2 trillion of spending cuts—which we have had all of those kinds of talks going on down at the White House, and they seem to get to an agreement of $2 trillion of spending cuts. But when it comes to the revenue side, there seems to be an unwillingness to accept revenues.

What I would like to do is elucidate further on the Budget Committee chairman's presentation yesterday or the day before of this budget on how we can produce $2 trillion of new revenue and it not be considered as just straight tax increases but, instead, of going to two other parts of the Tax Code that have been off limits to so much of the tax planning and tax cuts that we have been talking about. Of course, I am talking about the $14 trillion of tax expenditures that the Federal Government expends by not having that tax revenue coming in to the tune of $14 trillion for special tax preferences over the course of the next decade.

Now, if that were not enough in itself, there is also an additional $1 trillion that is money that is kept abroad that is not brought back into this country and, therefore, is not taxed. Just a little portion of that money being kept overseas could be brought in and used in productive activities in the United States. But it would be brought in as income instead of housed in one three-story building in the Cayman Islands for 18,000 corporations, where all it is is a residence for a corporation to use to avoid U.S. taxes.

Now, if we are going to do anything serious about lowering the deficit, we are going to have to try to stop this nonsense that is going on. In the case of tax preferences, the tax expenditures, the $14 trillion, the Senate, in an overwhelming vote a couple of weeks ago, actually attacked one of those tax preferences.

Remember when we voted something like 95 to 5 here to get rid of the subsidy on ethanol made from corn? It was a subsidy put in years ago to encourage ethanol made from corn as a way of blending it with gasoline that would then lessen our reliance on oil, particularly foreign oil. But now we know we can make ethanol from a whole bunch of other things, and it doesn't have to be making ethanol from something that we eat, which all it was doing was driving the price of corn higher and, of course, corn is being used as a feed in the feed lots and, therefore, the meat products that the American consumer was getting at the grocery store went much higher in price.

So we realized here was a tax subsidy, a tax preference, in other words, a tax expenditure, that had outlived its usefulness. There are $14 trillion of these tax preferences that are, in effect, for the next decade, and it would not be an unreasonable question to ask: Could we reduce those tax preferences just a little bit? If you reduced them, just 17 percent of all those tax preferences, you would produce $2 trillion. If that $1 trillion that is kept overseas—if you could stop some of those laws that keep foreign income held by U.S. companies abroad, if you could just tax a little bit of that, then we could even lower the percentage that we needed to get into the tax expenditures.

Now, there are some tax expenditures that are obviously very popular and very necessary. Charitable contributions, which include contributions to churches, they get a charitable deduction that you deduct from your overall income in order to get your adjusted gross income. From that you subtract the various deductions you have to get to your taxable income. Clearly, giving charitable contributions is an activity that we want to encourage, and we encourage that in the Tax Code.

Another example is, you own a home. You go to the bank, you get a mortgage, the mortgage payments that include principal and interest. You are able to deduct the interest that you are paying on that mortgage, and that is a tax preference. It was originally put in to encourage home ownership. Well, should that preference continue for those who don't need the help?

I think these are questions. So if we start just doing little things with this $14 trillion of tax preferences, we can make major reductions in the annual deficit.

Let me give another example: Oil and gas. There are a lot of tax preferences for the oil and gas industry. Normally, when a business goes in and provides capital to get a business up and going, that capital equipment is allowed to be deducted over the life of that piece of equipment.

Well, so much of oil and gas equipment is allowed to be written off in the very first year as an expense of doing business in that first year. That is just one other example. So if we look at it, are we capable of taking $14 trillion of tax preferences—some people call them tax expenditures; some people call them tax giveaways—and, therefore, reduce those, especially the ones that are ineffective and inefficient, even though it is going to step on somebody's toes? Some special interest that has that tax preference, they are not going to like it. They want their goodies. But for the purpose of balancing the budget, for the purpose of bringing this deficit down so we can get on the road to fiscal order instead of the fiscal chaos that we have now, is that not a legitimate question to ask and a legitimate road to go down?

No less than one of the senior economic advisers to President Reagan—his name is Martin Feldstein. He was a Harvard professor and the Chairman of the Council of Economic Advisers to President Reagan. I want you to see what he says about reducing tax expenditures.

> Cutting tax expenditures is really the best way to reduce government spending. Eliminating tax expenditures does not increase marginal tax rates or reduce the reward for saving, investment or risk-taking. It would also increase overall economic efficiency by removing incentives that distort private spending decisions. And eliminating or consolidating the large number of overlapping tax-based subsidies would also greatly simplify tax filing. In short, cutting tax expenditures is not at all like other ways of raising revenue.

Martin Feldstein, well regarded in conservative circles.

With this crisis looming, why can't we get people to recognize that if we want balance, they have to give, too, and here is a good way. I want to expand on this—another way we could do it.

We could actually, as the Simpson-Bowles commission suggested, lower these tax expenditures Martin Feldstein is talking about. We could even take that additional revenue and pour it into the rest of the Tax Code and lower the tax rates for everybody, including corporate tax rates, and in the process we could also simplify the Tax Code into three tax brackets. All of the tax brackets would be lowered if we got rid of some of those tax expenditures. There are multiple ways we can use this, and in the process, then, we are starting some serious tax reform.

The Senator from North Dakota has laid this out. He has explained this to the Senate. He has the unanimous support of the majority of the Senate Budget Committee. He has the near-unanimous support of the entire majority in the U.S. Senate. He has explained this to the President and to the Vice President.

Of course, one of the easy ways to react to this is, well, there is not enough time. If we want to do major tax reform and tax simplification for the sake of our consumers, there sure is time because we could solve this debt ceiling crisis with a commitment down the line to doing just exactly what I have talked about.

As we are in this maelstrom of all of these different ideas going around about what we are going to do before August 2 so the debt ceiling can be raised and so the country can pay its bills, I have heard about some disturbing things out there on the horizon. One is that Social Security is going to get whacked and that Medicare is going to get whacked.

By the way, what the Budget Committee is proposing does not whack Social Security or Medicare providers. In the first place, Social Security is not in financial trouble in the foreseeable future. It is not until the late 2030s that it starts to get into difficulty. It is around 2035 that it would not, in that year, be able to pay 100 percent of its payments. We can correct that before then.

Our problem is now. Our problem is this next decade of bringing this budget on a path toward balance and bringing the annual deficit down to a much lower percentage of gross domestic product.

The budget I have just outlined, that is the work product of the Senate Budget Committee chairman, brings it down at the end of the decade to 1.8 percent—the deficit—to GDP. Anytime we get below 3 percent of the deficit being a percentage of GDP, we are on the path to fiscal stability, and we would be moving toward that position of balance—a position, by the way, we enjoyed 11 years ago because we were in surplus. Eleven years ago, we had 4 years of surplus in a row, but we started enacting policies—and, I might say, not with the vote of this Senator—that caused the revenues to drop off considerably. Then, of course, when we got in the situation where we started increasing expenditures for one reason or another—increasing expenditures for national defense, for two wars—and those were wars we were not paying for with a revenue source; in fact, we were just going out and borrowing the money.

So this brings me now to Medicare and Social Security. It might make some people in Washington, DC, feel good to whack Medicare. It certainly wouldn't make this Senator feel good. It certainly wouldn't make an awful lot—as a matter of fact, some 45 million senior citizens in this country are on Medicare, some of whom are living from hand to mouth, from Social Security check to Social Security check, and from Medicare reimbursement to Medicare reimbursement for their health care. It certainly wouldn't make them feel good. And it is not going to do anything immediately for the deficit we are having to confront. So why trade off, saying we are going to whack these two programs and not attack things such as tax expenditures that are inefficient and don't produce what they are supposed to do via the incentives in the Tax Code? It simply doesn't make sense.

Oh, by the way, isn't it interesting, isn't it almost ironic that the people who are now attacking Medicare and saying we have to whack it are the very people who were criticizing us 2 years ago in the health care bill when we eliminated $½ trillion of inefficiencies and overpayments out of Medicare to put the program on a more financially solvent path? And they were the very ones who were criticizing us for taking that money out of Medicare. Well, I say to my colleagues, we already took on Medicare, so we ought to get down to the hard choices of budget deficit reduction, which means cutting spending and getting rid of some of these tax expenditures so we can start bringing our budget into balance.

My final subject is Social Security. Now, why in the world would we want to scare the bejabbers out of 45 million senior citizens of this country, some of whom literally are living hand to mouth and from Social Security check to Social Security check and some of whom cannot afford the cost of drugs even partially provided for through Medicare Part D, the prescription drug benefit? I don't think we want to do that.

As we get closer to August 2, I am hearing—and I hope every other Senator is hearing from all of these senior citizens and these disabled workers who are relying on Social Security—that they are concerned about Washington's failure to get its house in order, and if we fail to get our house in order, it is going to threaten the very source of income they count on. So to risk a government default and to say the only way we can do it is by taking it out of Social Security is not going to do anything for us in reducing the deficit over the next decade, which is the problem at hand.

Yesterday, the President was asked if he could tell the folks at home that no matter what happens, Social Security checks are going to go out the day after the government is supposedly going to go into default. Do my colleagues remember what the President said? He said: I cannot guarantee that those checks go out on August 3 if we haven't resolved this issue because there may simply not be the money in the coffers to do it.

So the people who are relying on a fixed income of Social Security to survive—Social Security payments are more than just a government statistic. For them, Social Security is more than just a Federal outlay or an entitlement expenditure. There are almost 4 million Social Security beneficiaries in my State. I can tell my colleagues that their Social Security pays the rent, it pays for the groceries, and it helps pay their medical copays. It helps pay for that over and above what is provided in Medicare.

It is interesting, these speeches I hear. It is all ''it is your fault, and it is your fault, and it is the other guy's fault, and it is so partisan, and it is so ideologically rigid.'' The only way we are going to solve something that is as tangled up as this is for people of good will to be willing to respect the other fellow's point of view and come together and build consensus to find a workable solution.

So as we get closer—and we can almost hear the background music; it is getting more ominous day by day as the clock ticks down to August 2—there is something we can do about it. The threat that Social Security payments could be delayed should not be used as a weapon to force a slash-and-burn cut to these entitlements. I said 45 million earlier; it is actually 56 million retirees who rely on these payments.

A recent report from the Congressional Research Service states:

> Under normal procedures Treasury pays Social Security benefits from the General Fund and offsets this by redeeming an equivalent amount of the Social Security Trust Funds' holdings of government debt. Treasury now may need to issue new public debt to raise the cash needed to pay benefits. Treasury may be unable to issue new public debt, however, because of the debt limit.

In other words, if the debt ceiling is not raised, Social Security benefits could be delayed or jeopardized. So perhaps what we ought to do is enact some legislation that takes Social Security out of the equation in the event we don't reach a deal on the debt ceiling by August 2.

In the past, the President and the Congress have agreed to exempt Social Security from the debt ceiling in order to ensure that the payments go out to Social Security recipients. As a matter of fact, as recently as 1996, Treasury reported it had insufficient cash to pay Social Security benefits in March of that year. In response, Congress then passed—and it was a bipartisan Congress; it was headed by a majority of the Republican Party, and there was a Democratic President, President Clinton. They passed—and it was signed into law—a measure that provided the Treasury with temporary authority to issue securities to the public in the amount equal to the Social Security benefit payments due.

I will conclude by pointing out that after that was done in 1996, Congress later extended the borrowing authority for an additional 2 weeks.

I believe we should use what we know works and not play games with Social Security benefits. So I am introducing some legislation, and I am introducing it today. It is called the Social Security Benefit Protection Act. What it suggests is the way we ought to go. Now, I know we are not going to take up and pass this legislation, but I have a means by which I can get this idea out. What it does is guarantee that the Social Security Administration will be able to continue paying Social Security benefits to retirees, survivors, and disabled workers regardless of what happens to this political gridlock here in Washington.

Similar to the 1996 legislation, this legislation gives the Treasury Department temporary authority to issue new debt to ensure the payments can be made to Social Security beneficiaries, but only to the extent necessary to cover the needs of the Social Security Program.

I urge our colleagues to try to come together and give the assurances to millions of retirees that they are not going to be whacked and, especially so, they are not going to be whacked out of political gridlock by all the rest of us for these excessive reasons. I urge my colleagues to take a look at the ideas in this legislation that I have filed.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 232—RECOGNIZING THE CONTINUED PERSECUTION OF FALUN GONG PRACTITIONERS IN CHINA ON THE 12TH ANNIVERSARY OF THE CAMPAIGN BY THE CHINESE COMMUNIST PARTY TO SUPPRESS THE FALUN GONG MOVEMENT, RECOGNIZING THE TUIDANG MOVEMENT WHEREBY CHINESE CITIZENS RENOUNCE THEIR TIES TO THE CHINESE COMMUNIST PARTY AND ITS AFFILIATES, AND CALLING FOR AN IMMEDIATE END TO THE CAMPAIGN TO PERSECUTE FALUN GONG PRACTITIONERS

Mr. MENENDEZ (for himself and Mr. COBURN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 232

Whereas Falun Gong (also known as Falun Dafa) is a Chinese spiritual discipline founded by Li Hongzhi in 1992 that consists of spiritual and moral teachings, meditation, and exercise based upon the universal principles of truthfulness, compassion, and forbearance;

Whereas, during the mid-1990s, Falun Gong acquired a large and diverse following, with as many as 70,000,000 practitioners at its peak;

Whereas, on April 25, 1999, an estimated 10,000 to 30,000 Falun Gong practitioners gathered in Beijing to protest growing restrictions by the Government of the People's Republic of China on the activities of Falun Gong practitioners, and the Government of the People's Republic of China responded with an intensive, comprehensive, and unforgiving campaign against the movement that began on July 20, 1999, with the outlawing of Falun Gong;

Whereas the Government of the People's Republic of China has stated that it fully respects and protects citizen's freedom of religion in accordance with the law, but that ''Falun Gong is neither a religion nor a spiritual movement; rather it is an evil cult against humanity, science and society'';

Whereas, on October 30, 1999, China's National People's Congress promulgated an ''anti-cult'' law (article 300 of the Criminal Law), effective retroactively, to suppress the Falun Gong movement and thousands of religious sects across the country;

Whereas, since 1999, more than 6,000 Falun Gong practitioners have reportedly served time in prison, with estimates of those in reeducation through labor camps reaching as many as 125,000 people, and Falun Gong practitioners are said to constitute approximately two-thirds of all prisoners and detainees of conscience in China (roughly 15,000 people);

Whereas the publication of ''Nine Commentaries on the Communist Party'' in November 2004 by the United States-based newspaper, the Epoch Times, led to the creation of the Tuidang movement;

Whereas the Tuidang movement, which translates literally as ''withdraw from the communist party'', has encouraged as many as 90,000,000 people to publicly renounce their membership in the Chinese Communist Party and its affiliates since 2004;

Whereas, in the lead up to and during the 2010 World Expo in Shanghai, authorities conducted propaganda campaigns portraying ''cults'' like Falun Gong as ''dangers'' to society that ''wreck families'' and ''poison the minds of youth'', carried out strict surveillance of practitioners, and detained and imprisoned large numbers of practitioners;

Whereas, according to estimates by the Department of State and human rights organizations, since 1999, from several hundred to a few thousand Falun Gong adherents have died in custody from torture, abuse, and neglect;

Whereas a review of the Government of the People's Republic of China by the United Nations Human Rights Council's Working Group on the Universal Periodic Review in February 2009 reiterated concerns regarding human rights violations against Falun Gong practitioners, including arrests, detention, torture, and reeducation through labor camps;

Whereas the Department of State's 2010 Human Rights Report on China cited reports of Falun Gong adherents being committed to mental health facilities, medicated against their will, and forcibly subjected to electric shock treatment;

Whereas the Department of State's 2010 Human Rights Report on China stated that the Government of the People's Republic of China automatically censored e-mail and web chats based on an ever-changing list of sensitive key words, such as ''Falun Gong'', and periodically blocked the blogs of a number of prominent activists, artists, scholars, and university professors; and

Whereas the 2010 Annual Report of the Congressional-Executive Commission on China found that lawyers involved in human rights advocacy work—including in legal cases involving Falun Gong practitioners and others deemed by the Government of the People's Republic of China to threaten ''social stability''—have been harassed by the Government of the People's Republic of China based on who their clients are and the causes those clients represent: Now, therefore, be it

Resolved, That the Senate—

(1) expresses solidarity with Falun Gong practitioners and their families for the lives, freedoms, and rights they lost for adhering to their beliefs and practices;

(2) calls upon the Chinese Communist Party to immediately cease and desist from its campaign to persecute Falun Gong practitioners and promptly release all Falun Gong practitioners who have been confined, detained, or imprisoned in retaliation for pursuing their right to hold and exercise spiritual beliefs;

(3) emphasizes to the Government of the People's Republic of China that freedom of religion includes the right of Falun Gong practitioners to freely practice Falun Gong in China;

(4) calls upon the President, the Secretary of State, and Members of Congress to—

(A) mark the anniversary of the Government of the People's Republic of China's official repression of the Falun Gong spiritual movement;

(B) express solidarity with persecuted Falun Gong practitioners in China; and

(C) meet with Falun Gong practitioners; and

(5) expresses support for volunteers and participants of the Tuidang movement for their peaceful efforts to reclaim Chinese history and culture, and for their pursuit of a fair and open government, a free people, and a society rooted in the practice of virtue.

SENATE RESOLUTION 233—HONORING THE MEN AND WOMEN OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION SPACE SHUTTLE PROGRAM ON REACHING THE HISTORIC MILESTONE OF THE 135TH AND FINAL FLIGHT OF THE SPACE TRANSPORTATION SYSTEM

Mr. NELSON of Florida (for himself, Mr. BROWN of Ohio, Mrs. HUTCHISON, Mr. BOOZMAN, Mr. ROCKEFELLER, Ms. MIKULSKI, Mr. RUBIO, Mr. UDALL of Colorado, Mr. WARNER, and Mr. VITTER) submitted the following resolution; which was considered and agreed to:

S. RES. 233

Whereas the launch of the space shuttle Atlantis on July 8, 2011, is the 135th and final flight of the National Aeronautics and Space Administration Space Transportation System (STS–135) and the 33rd flight of the space shuttle Atlantis;

Whereas the National Aeronautics and Space Administration built 5 space-capable orbiters, the Columbia, the Challenger, the Discovery, the Atlantis, and the Endeavour;

Whereas, with the launch of STS–135, 355 individuals will have flown 852 times during the history of the Space Shuttle Program, beginning with the launch of the first Space Transportation System flight on April 12, 1981;

Whereas a spirit of international partnership has been fostered among the 16 countries represented on the space shuttle missions flown during the history of the Space Shuttle Program, including Belgium, Canada, France, Germany, Israel, Italy, Japan, Mexico, the Netherlands, Russia, Saudi Arabia, Spain, Sweden, Switzerland, Ukraine, and the United States;

Whereas the space shuttles together have flown 537,114,016 miles, with STS–135 adding an additional 4,000,000 miles;

Whereas, during the history of the Space Shuttle Program, more than 2,000 on-orbit experiments have been conducted in the fields of Earth science, biology, fluids, materials sciences, and astronomy;

Whereas the Space Shuttle Program has executed the launch and service of the Hubble Space Telescope, enabling groundbreaking and breathtaking views of the universe outside of our solar system;

Whereas the space shuttles have docked to 2 different space stations, with 9 missions to Mir, the space station of the Government of Russia, and 37 missions to the International Space Station;

Whereas the Space Shuttle Program has been essential to the on-orbit assembly of the International Space Station and vital to ensuring the continued viability and support of the International Space Station;

Whereas the space shuttles have landed at the Kennedy Space Center 77 times, at Edwards Air Force Base 54 times, and at the White Sands Test Facility once;

Whereas the launch configuration of the entire Space Transportation System contains approximately 2,500,000 moving parts and, at lift-off, weighs approximately 4,500,000 pounds; and

Whereas the space shuttles can travel around the Earth at a speed of approximately 17,500 miles per hour: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the National Aeronautics and Space Administration on reaching the historic milestone of the 135th and final flight of the Space Transportation System;

(2) honors the men and women of the Space Shuttle Program, who worked tirelessly to

design, build, and operate the Space Transportation System, in order to promote science, exploration, and international cooperation;

(3) remembers the 14 crewmembers lost during the space shuttle Challenger accident, which occurred on January 28, 1986, and the space shuttle Columbia accident, which occurred on February 1, 2003;

(4) notes the diligence in applying the lessons learned through the Challenger and Columbia tragedies to honor the 14 crewmembers we lost and enhance the safety of the crewmembers that followed;

(5) recognizes that the Space Shuttle Program has inspired generations of children to become engineers, scientists, and explorers, which has led to maintaining the precedent of leadership in human space exploration set by the United States during the Mercury, Gemini, and Apollo missions; and

(6) acknowledges that the Space Shuttle Program has, through its technological advancements and scientific research, driven innovation in the fields of science, technology, engineering, and mathematics to benefit the people of the United States and all of humankind.

AMENDMENTS SUBMITTED AND PROPOSED

SA 550. Mr. ROCKEFELLER (for himself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 535 submitted by Mr. WHITEHOUSE (for himself, Mr. BLUMENTHAL, Mr. SANDERS, Mr. FRANKEN, Mr. BROWN of Ohio, and Mr. MERKLEY) and intended to be proposed to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table.

SA 551. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table.

SA 552. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 550. Mr. ROCKEFELLER (for himself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 535 submitted by Mr. WHITEHOUSE (for himself, Mr. BLUMENTHAL, Mr. SANDERS, Mr. FRANKEN, Mr. BROWN of Ohio, and Mr. MERKLEY) and intended to be proposed to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. __. SENSE OF THE SENATE ON PROTECTING MEDICAID.

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

(1) 68,000,000 low-income children, parents, pregnant women, seniors and people with disabilities are served by the Medicaid program.

(2) After almost 50 years, Medicaid is still a life-saving part of what we do as a government—by providing health care to more than 20 percent of all Americans, including 40 percent of the births, 50 percent of long-term care, and, along with the Children's Health Insurance Program, 34 percent of the children in our country.

(3) Medicaid provides essential health coverage, furnishing a usual source of care, lowering infant mortality rates, improving the health of adults and children with chronic illnesses and special health care needs, and providing critical preventive care.

(4) Medicaid provides essential coverage for seniors and people with disabilities. It covers 62 percent of all long-term care services and supports. It also covers premiums and copayments on behalf of low-income Medicare beneficiaries

(5) The 9,000,000 beneficiaries who are dually eligible for Medicaid and Medicare are among the most medically complex beneficiaries and account for nearly 40 percent of Medicaid spending, although they account for only 15 percent of Medicaid enrollment. Significant Medicaid cuts would undermine efforts to improve care and lower costs for this group of beneficiaries.

(6) Medicaid is a very efficient program. On average, after adjusting for differences in health, Medicaid costs 27 percent less per child than private insurance and 20 percent less for adults. Between 2000 and 2009, per beneficiary spending grew at 4.6 percent compared to 7.7 percent growth in premiums for employer sponsored insurance.

(7) Medicaid is an economic engine supporting millions of home-grown jobs at hospitals, nursing homes, community health centers, and doctor's offices.

(8) Medicaid is the health care program that helps States during times of crises – including after the September 11th attacks, Hurricanes Katrina and Rita, and the recent floods and tornados in the South and Midwest. It automatically expands during an economic downturn to assist families who lose their jobs and health insurance.

(9) Medicaid is the largest source of Federal revenues for States. According to the National Governors Association, ''federal spending reductions for Medicaid will result in a direct cost shift to States, which will result in reduced Medicaid expenditures, increased State taxes or reductions in K-12 education, transportation, and public safety funding.''

(10) Cuts to federal Medicaid funding will force already cash-strapped States to cut eligibility, benefits, and provider payment rates, inevitably resulting in reduced access to care for children, parents, pregnant women, seniors and people with disabilities who have nowhere else to turn for affordable, comprehensive coverage.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that any agreement to reduce the budget deficit should not include arbitrary cuts to Medicaid that shift health care costs to States and local governments and jeopardize health care coverage for millions of Americans.

SA 551. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. (a) Using funds appropriated or otherwise made available by this title under the heading ''DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005'', and notwithstanding the deadline specified in section 2904(a)(5) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), the Umatilla Chemical Depot, Oregon, shall be closed as part of the 2005 round of defense base closure and realignment after the completion of chemical demilitarization activities required under the Chemical Weapons Convention, as provided under Recommendation #160 of the final report of the 2005 Defense Base Closure and Realignment Commission.

(b) None of the funds appropriated or otherwise made available by this or any other Act may be obligated or expended to close Umatilla Army Chemical Depot outside of the process provided for under the 2005 round of defense base closure and realignment.

SA 552. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. None of the funds appropriated or otherwise made available by this or any other Act may be obligated or expended to close Umatilla Army Chemical Depot outside of the process provided for under the 2005 round of defense base closure and realignment pursuant to Recommendation #160 of the final report of the 2005 Defense Base Closure and Realignment Commission.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks. The hearing will be held on Thursday, July 28, 2011, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills:

S. 264, A bill to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, and for other purposes;

S. 265, A bill to authorize the acquisition of core battlefield land at Champion Hill, Port Gibson, and Raymond for addition to Vicksburg National Military Park;

S. 324, A bill to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission;

S. 764, A bill to amend the Wild and Scenic Rivers Act to make technical corrections to the segment designations for the Chetco River, Oregon;

S. 864, A bill to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California;

S. 883, A bill to authorize National Mall Liberty Fund D.C. to establish a

memorial on Federal land in the District of Columbia to honor free persons and slaves who fought for independence, liberty, and justice for all during the American Revolution;

S. 888, A bill to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System;

S. 925, A bill to designate Mt. Andrea Lawrence;

S. 970, A bill to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System;

S. 1063, A bill to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of Alaska;

S. 1134, A bill to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values; and

S. 1235, A bill to recognize the memorial at the Navy UDT–SEAL Museum in Fort Pierce, Florida, as the official national memorial of Navy SEALS and their predecessors.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by email to jake_mccook@energy.senate.gov.

For further information, please contact David Brooks or Jake McCook.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 13, 2011, at 10 a.m. in room 253 of the Russell Senate Office Building. The Committee will hold a hearing entitled, ''Unauthorized Charges on Telephone Bills: Why Crammers Win and Consumers Lose.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 13, 2011, at 10 a.m. in room SD–406 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on July 13, 2011, at 9 a.m., in HVC–210 of the Capitol Visitor Center, to conduct a hearing entitled ''Tax Reform and the Tax Treatment of Debt and Equity.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 13, 2011, at 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate, on July 13, 2011, at 10 a.m. to conduct a hearing entitled ''Ten Years After 9/11: Preventing Terrorist Travel.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on July 13, 2011, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The Violence Against Women Act: Building on Seventeen Years of Accomplishments.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on July 13, 2011, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SEAPOWER

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on, July 13, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. COATS. Mr. President, I ask unanimous consent that Carlos Algara, an intern in the office of Senator MERKLEY, be granted privilege of the floor for the duration of the remainder of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING THE MEN AND WOMEN OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION SPACE SHUTTLE PROGRAM

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 233, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 233) honoring the men and women of the National Aeronautics and Space Administration Space Shuttle Program on reaching the historic milestone of the 135th and final flight of the Space Transportation System.

There being no objection, the Senate proceeded to consider the resolution.

Mr. NELSON of Florida. Mr. President, because I was on the floor, the remarkable Senate staff, who do this so much in a routine fashion, asked me to do this. Of course, it was with enormous emotion that I watched *Atlantis* soar into the heavens last Friday. This is a fitting tribute to the people who have made this program possible for 30 years, with 135 flights, not without tragedy for we lost two space shuttles and 14 souls. Now we are going to a vigorous new program with new, more efficient, and safer rockets that will take us into the heavens.

Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 233) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 233

Whereas the launch of the space shuttle Atlantis on July 8, 2011, is the 135th and final flight of the National Aeronautics and Space Administration Space Transportation System (STS–135) and the 33rd flight of the space shuttle Atlantis;

Whereas the National Aeronautics and Space Administration built 5 space-capable orbiters, the Columbia, the Challenger, the Discovery, the Atlantis, and the Endeavour;

Whereas, with the launch of STS–135, 355 individuals will have flown 852 times during the history of the Space Shuttle Program, beginning with the launch of the first Space Transportation System flight on April 12, 1981;

Whereas a spirit of international partnership has been fostered among the 16 countries represented on the space shuttle missions flown during the history of the Space Shuttle Program, including Belgium, Canada, France, Germany, Israel, Italy, Japan, Mexico, the Netherlands, Russia, Saudi Arabia, Spain, Sweden, Switzerland, Ukraine, and the United States;

Whereas the space shuttles together have flown 537,114,016 miles, with STS–135 adding an additional 4,000,000 miles;

Whereas, during the history of the Space Shuttle Program, more than 2,000 on-orbit

experiments have been conducted in the fields of Earth science, biology, fluids, materials sciences, and astronomy;

Whereas the Space Shuttle Program has executed the launch and service of the Hubble Space Telescope, enabling groundbreaking and breathtaking views of the universe outside of our solar system;

Whereas the space shuttles have docked to 2 different space stations, with 9 missions to Mir, the space station of the Government of Russia, and 37 missions to the International Space Station;

Whereas the Space Shuttle Program has been essential to the on-orbit assembly of the International Space Station and vital to ensuring the continued viability and support of the International Space Station;

Whereas the space shuttles have landed at the Kennedy Space Center 77 times, at Edwards Air Force Base 54 times, and at the White Sands Test Facility once;

Whereas the launch configuration of the entire Space Transportation System contains approximately 2,500,000 moving parts and, at lift-off, weighs approximately 4,500,000 pounds; and

Whereas the space shuttles can travel around the Earth at a speed of approximately 17,500 miles per hour: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the National Aeronautics and Space Administration on reaching the historic milestone of the 135th and final flight of the Space Transportation System;

(2) honors the men and women of the Space Shuttle Program, who worked tirelessly to design, build, and operate the Space Transportation System, in order to promote science, exploration, and international cooperation;

(3) remembers the 14 crewmembers lost during the space shuttle Challenger accident, which occurred on January 28, 1986, and the space shuttle Columbia accident, which occurred on February 1, 2003;

(4) notes the diligence in applying the lessons learned through the Challenger and Columbia tragedies to honor the 14 crewmembers we lost and enhance the safety of the crewmembers that followed;

(5) recognizes that the Space Shuttle Program has inspired generations of children to become engineers, scientists, and explorers, which has led to maintaining the precedent of leadership in human space exploration set by the United States during the Mercury, Gemini, and Apollo missions; and

(6) acknowledges that the Space Shuttle Program has, through its technological advancements and scientific research, driven innovation in the fields of science, technology, engineering, and mathematics to benefit the people of the United States and all of humankind.

Mr. NELSON of Florida. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

CONGRESSIONAL RETIREMENT AGE ACT

Mr. BROWN of Ohio. Mr. President, I appreciate the comments of the senior Senator from Florida about Social Security. In my State—and it is not much different in Rhode Island, the State of the Presiding Officer—the average Social Security benefit is $14,000 a year. A huge percent—I think about half—of Social Security beneficiaries in Ohio rely on Social Security for more than half of their income.

When I hear proposals here, which Senator NELSON also was speaking against, to make significant cuts to seniors who are getting $1,000 a month from Social Security and letting off hedge fund managers who are paying significantly lower tax rates than most people in the middle class—that the sacrifice is aimed toward the middle class and aimed toward seniors and not spread more evenly among people who are the most privileged of society—it bothers me, as it does, I know, the Presiding Officer.

I rise today about a similar issue, about a Social Security issue also, calling on my colleagues in the Senate and in the House of Representatives to practice what we preach.

Presently, the Congress and the White House are working to find agreement on ways to balance the budget, as we should. I was part of the effort in the 1990s. During the Clinton years we balanced the Federal budget. In fact, during those 8 years, we took a terrible deficit and high unemployment, and even though taxes for upper income people were raised to 39 percent, we saw 21 million private sector jobs created, we saw incomes going up, and we saw that President Clinton left office with the highest budget surplus in American history.

We saw the policies of the next 8 years and what they did to our country: tax cuts for the wealthy, deregulation of Wall Street, bad trade agreements, a giveaway to the drug and insurance companies, and two unpaid-for wars and where that got us to this budget situation—exacerbated by this recession in the last 3 years. So we clearly need to move forward in balancing the budget.

Some Washington politicians want to balance the budget by cutting the Social safety net upon which millions of hard-working Americans rely. I oppose those efforts.

In a time of fiscal belt-tightening, Members of Congress should also share the burden of reducing that deficit. That is why I have introduced the Congressional Retirement Age Act of 2011.

The bill is simple. As Congress and the White House seek an agreement on a deficit reduction package, Members of Congress cannot permit themselves to receive benefits denied to ordinary working Americans.

While the wealth of Members of Congress varies, there is no doubt we receive a healthy salary and benefits compared to millions of American families who do not.

Members of Congress also have an added benefit. We can access our Federal retirement benefits early, whether we serve as few as 5 or as many as 25 years. Millions of seniors—who have worked their lives in factories or have worked their lives in construction or have worked their lives walking the floor of retail outlets, department stores or diners—millions of seniors cannot do the same. For too many Americans, Social Security has become their retirement plan, as pensions disappear and 401(k)s plummet.

All Members of Congress are able to collect their pensions at any time—starting at age 50—if they have served 25 years. Most have not by the age of 50, obviously, but once they have served 25 years, they can receive full pensions. If they have served as few as 5 years, they can collect their pensions beginning at age 62.

So with 25 years of congressional service, Members of Congress can receive pensions immediately upon retirement. If they have served 5 years, they can receive a pension—not a large one at that point but a pretty decent pension—at age 62.

But what about a Youngstown steelworker, what about a Columbus store clerk, what about a Cincinnati nurse, what about a Toledo sheet metal worker, what about an Akron worker in a rubber plant? Do they get that option? Of course not. They have to wait until age 65, or age 62 at a discounted amount, to receive retirement benefits.

No longer should any Congressman, no longer should any Congresswoman, no longer should any Senator be treated differently from other Americans. That is what the Congressional Retirement Age Act of 2011 would ensure.

This bill would amend the Federal Employees Retirement System and the Civil Service Retirement System to directly tie current and future Members of Congress' access to their Federal retirement benefits to the Social Security retirement age.

It is that simple and it is bipartisan. Senator MCCASKILL of Missouri, a Democrat, Senator JOHNSON of South Dakota, a Democrat, are cosponsors. The House companion, introduced by Representative BOBBY SCHILLING of Illinois, a Republican, has seven Republican cosponsors.

This idea is endorsed by the conservative National Taxpayers Union, that calls it ''one of the few serious attempts to reform Congressional pensions in recent memory.'' I do not agree with the National Taxpayers Union on that many issues; they are too willing to cut benefits for the middle class, in my view. But together, on this issue, we share the belief that Members of Congress should be treated as any other citizen. There is no reason that the benefits of being a Member of Congress should be more generous than being a member of the middle class.

According to reports, 13 sitting Senators and 31 Members of the House of Representatives today have accrued annual pensions worth at last $50,000, if they were to retire today. Meanwhile, American workers age 65 or older receive a median private pension payment of about $8,000 a year.

Elected officials do not, frankly—I think you look around this body and you know that most House Members and Senators, at least a number of them, simply do not know enough people who work in construction, who work in a retail store, who work at a

diner, who work at a manufacturing plant, who work in a hotel cleaning rooms, who stand up all day as a cosmetologist or as a barber, working in jobs where their bodies simply cannot work until the age of 70.

Members of Congress, dressing like this and doing what we do, can often work—obviously, if the voters say so—can, obviously, work into our 70s. It is not that hard for most of us. But while we go to work in a suit and tie, tens of millions of American workers work in factories and mines and fields and diners and hotels and their bodies simply cannot work until the age of 70.

So when I hear my colleagues say we should raise the Social Security retirement age, I think of people working in the service industry, I think of people doing demanding work in agriculture and on shop floors and in construction and hairdressers, and all that.

Why should they wait longer for their retirement security—albeit it is too small to begin with in many cases; it is minimal, often, at best—but why should they wait longer for their retirement security than Members of Congress?

So for those who think about raising the retirement age for Social Security, think about raising the retirement age for ourselves. There is simply no reason we, as Members of Congress—no matter how many years of service—should be able to retire at full pension before Social Security beneficiaries in this country.

Why should Members of Congress be treated better than a steelworker or a store clerk or a nurse or a hotel worker?

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, JULY 14, 2011

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, July 14; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business for 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the second half; that following morning business, the Senate resume consideration of the motion to proceed to H.R. 2055, the Military Construction, Veterans Affairs and Related Agencies appropriations bill postcloture; further that all time during adjournment, morning business and recess count postcloture on the motion to proceed to H.R. 2055.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BROWN of Ohio. We hope to get an agreement to begin consideration of the Military Construction appropriations bill early tomorrow.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BROWN of Ohio. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 5:45 p.m., adjourned until Thursday, July 14, 2011, at 9:30 a.m.

EXTENSIONS OF REMARKS

H. RES. 268, REAFFIRMING THE UNITED STATES COMMITMENT TO A NEGOTIATED SETTLEMENT OF THE ISRAELI-PALESTINIAN CONFLICT THROUGH DIRECT ISRAELI-PALESTINIAN NEGOTIATIONS

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. WAXMAN. Mr. Speaker, the Palestinian plan to unilaterally declare statehood targets the core underpinning of the peace process—the principle of mutual recognition.

In their tactics and their tone, Palestinian leaders have proclaimed that seeking to delegitimize Israel is more important to them than a prosperous future for their own people. It is a travesty and a tragedy.

To reiterate what President Obama made clear in his May 19 speech: ''Palestinians will never realize their independence by denying the right of Israel to exist.''

For all the terrorist attacks that have claimed thousands of Israeli lives, for all the domestic trauma and security risks Israel undertook in its withdrawals from Gaza and Lebanon, for all the settlement freezes and stalled talks, Israel has always returned to the negotiating table in faith that a peace agreement is possible. But unilateral Palestinian declaration of statehood is the one thing from which the peace process cannot recover.

What will be left to negotiate? And at this point who will be there to negotiate with? The PLO? Hamas? A ''technocratic'' unity government that has no political standing?

If the Palestinian leadership is serious about statehood and about entering the United Nations as a responsible, sovereign nation, it should drop its preconditions, reenter direct talks and recognize Israel as a Jewish State.

I strongly support H. Res. 268, which reaffirms Administration policy and previous congressional resolutions on this issue. With this vote, we must redouble efforts to work with our allies and the international community to pressure the Palestinian leadership to change course towards a just and lasting peace.

HONORING GAL SITTY FOR HIS OUTSTANDING HUMANITARIAN ADVOCACY ON BEHALF OF KIDNAPPED ISRAELI SOLDIER GILAD SHALIT

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. BERMAN. Mr. Speaker, I rise today in honor of an outstanding resident of the district I proudly represent, Gal Sitty. Mr. Sitty has worked hard to raise awareness of kidnapped Israeli soldier Gilad Shalit's plight and the ongoing effort to secure his release.

Mr. Sitty launched a successful effort to raise $10,000 for the placement of a billboard near the United Nations headquarters in New York City. The billboard featuring a picture of Gilad Shalit will ensure that the captured soldier is not forgotten. It also encourages UN leaders to assist in facilitating his release.

Mr. Sitty was motivated to undertake this effort because he understands that during the five years since Shalit's capture, Gilad and his family have been suffering and living a nightmare. Mr. Sitty's efforts have undoubtedly provided Gilad Shalit's family comfort because they know that the American people stand behind them ready to help.

I commend Mr. Sitty for his advocacy on Gilad Shalit's behalf and thank him for his outstanding efforts to keep the world focused on this tragedy. Mr. Sitty's hard work plays an important role in the effort to return Gilad home to his family.

In conclusion Mr. Speaker, I would like to draw the attention of the House to the following article published in the May 8th addition of the Jerusalem Post—''Angeleno Launches Drive for Shalit Billboard Near UN'', and I ask that it be published in the CONGRESSIONAL RECORD.

[From the Jerusalem Post, May 8, 2011]

ANGELENO LAUNCHES DRIVE FOR SHALIT BILLBOARD NEAR UN

(By Debra Kamin)

June 25 of this year will mark five years in captivity for Gilad Shalit, and one American is determined to make sure that this anniversary does not go unnoticed.

Gal Sitty, a 28-year-old Los Angeles native, has started a campaign on epicstep.com to fund and erect a billboard near the Manhattan headquarters of the United Nations imploring leaders to take steps to free the captive soldier.

''In [the past] five years I've gone to grad school, had numerous jobs, spent many holidays with my family, had good times with friends and so forth,'' Sitty said to The Jerusalem Post when asked about his motivations. ''Meanwhile, Gilad Shalit and his family have had none of that. They have been suffering, living a nightmare.''

Epicstep was founded earlier this year by Lev Reys and brothers Gene and Eugene Vekslar. The site works as a fundraising platform for creating billboards—users choose the issue they feel compelled to promote and supporters log on and donate until the final cost, which varies per billboard but for Sitty's campaign is $10,000, is reached. Supporters' credit cards are not charged until the fundraising goal is reached, so if the campaign to create a billboard fails, no pledges are lost.

Sitty was born in Israel and raised in a Hebrew-speaking home. He is quick to admit that this is an issue that is close to his heart. ''The recent Fatah-Hamas reconciliation agreement makes no mention of Gilad Shalit. This means that Fatah and the Palestinian Authority are now complicit in this crime,'' he said. ''I think getting this billboard up keeps the pressure on . . . leaders of the world to not overlook this human tragedy.''

Sitty, who holds a master's degree in public policy, still lives in Los Angeles, where he works as a researcher for the Broad Foundation. He selected New York City as the site for his billboard, however, because he believes that no one needs to hear his message more than the delegates at the United Nations.

''Soon the world's diplomats will be assembling at the UN to discuss recognition of a Palestinian state and it is very important that we remind them of Shalit so that the whole world does not become complicit in such crimes,'' he said. ''If the UN endorses a Palestinian state with Hamas in the government, then the UN indirectly endorses crimes against humanity and puts many more at risk of being kidnapped by terrorist organizations. We cannot allow this to happen.''

What the actual impact of a placard bearing Shalit's face will be remains to be seen. But Sitty is pragmatic when he describes his motivations. ''I know that I don't have the power to actually free him,'' he said of Shalit, ''but by getting this billboard up I think it keeps the pressure on the policy makers.'' And while Gilad will not know about the campaign, Sitty is also eager to help two other important figures—Noam and Aviva Shalit.

''I hope that many people, Israelis and non-Israelis, Jews and non-Jews, from all over the world contribute to this campaign and show the Shalit family that we haven't forgotten them, haven't forgotten their son, and will never forget about their suffering,'' Sitty said. ''We will continue to stand beside them and do whatever we can to help them.''

IN REMEMBRANCE OF MRS. ANNA ALICE OMILANOWSKI

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance of Mrs. Anna Alice Omilanowski who passed away on July 9, 2011.

Mrs. Omilanowski was the daughter of Joseph and Bernice Lewanski, who emigrated from Poland and passed through Ellis Island. She was the oldest of nine children, and grew up on East 40th Street and Superior Avenue.

Anna was a hard worker and took great pride in her work, especially when she worked in a factory that assembled torpedoes during World War II. Later, she applied her strong work ethic to a variety of other positions, including washing dishes at Pete's Wayside Inn, cleaning Parma Schools and working for Broadview Savings and Loan.

She married, Chester, a concentration camp survivor, on June 14, 1958 at St. Casimir Church in Cleveland. Together they raised five children. Mrs. Omilanowski always felt that her most important achievement was having her children by her side.

Anna was involved in her children's activities and was an avid bowler and card player. I had the pleasure of meeting Mrs. Omilanowski during the 1970s on more than one occasion at card parties and was always moved by her kindness.

Mr. Speaker and colleagues, please join me in honoring Mrs. Anna Alice Omilanowski, a woman whose fun-loving personality, fighting spirit, incredible work ethic, and undying compassion for those around her will be sorely missed.

HONORING THOMAS KLENDER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Thomas Klender. Thomas is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and earning the most prestigious award of Eagle Scout.

Thomas has been very active with his troop, participating in many scout activities. Over the many years Thomas has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Thomas has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Thomas Klender for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

37TH ANNIVERSARY OF THE TURKISH INVASION OF CYPRUS

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to mark the dark anniversary of July 20, 1974, when Turkish military troops illegally invaded the sovereign nation of Cyprus.

In the gray pre-dawn hours, heavily armed Turkish troops began the military operation named ''Operation Atilla'', implementing their strategy of ''clearing'' the territory in northern Cyprus, a community whose population was previously 80 percent Greek Cypriot.

As a result of these attacks, violent conflict erupted and over five thousand Greek Cypriots were estimated to have been killed; an additional sixteen hundred Greek Cypriots were reported missing; and over two hundred thousand Greek Cypriots were forcefully expelled from their homes.

Unfortunately, this tragedy which began that morning of July 20 continues today, as over 43,000 Turkish military troops occupy almost 40 percent of Cyprus' territory.

That amounts to one Turkish soldier for every two Turkish-Cypriots.

During the thirty-seven years the Turkish military has occupied northern Cyprus, illegal immigrants from Turkey flood into northern Cyprus, with some reports indicating at least 800 illegal migrants each year.

In total since 1974, this influx has resulted in more than 160,000 Turkish mainland illegal immigrants settling in the occupied territory, to the extent that these settlers now outnumber indigenous Turkish-Cypriots two to one.

Many claim that these immigrants are ''encouraged'' to settle in Cyprus by the Turkish government as part of a cynical strategy to alter the demographic statistics on the island and gain more property in any eventual settlement.

In addition, under the Turkish occupation, hundreds of religious and cultural sites have been desecrated.

Icons, manuscripts, frescoes and mosaics have been looted from Greek Orthodox, Catholic, Armenian Orthodox, Maronite and Jewish religious sites in northern Cyprus.

Over five hundred Orthodox churches or chapels have been demolished or vandalized.

Seventy-seven churches have even been converted into mosques, twenty-eight churches are being used by the Turkish military as hospitals or camps, and thirteen churches have been turned into barns.

For thirty seven years, the Cypriot people have endured conflict, division and foreign occupation.

It is long past time for their liberation.

The United Nations Security Council has passed seventy-five separate resolutions calling for Turkey to allow Greek Cypriots to return to their homes and to withdraw its troops from Cyprus.

In 1976, 1983 and again in 2009, the European Court of Human Rights ruled that Turkey was illegally occupying Cyprus and must return all seized properties to their Greek Cypriot owners.

Yet, to date Turkey continues to ignore such condemnations of its actions.

Meanwhile, two generations of Cypriot youth have now grown up knowing no other reality than the division of their homeland, the segregation of their people, the militarization of part of their country by foreign troops, and the ever present threat of another outbreak of violence.

Many have, or are beginning to, abandon hope of a peaceful settlement.

Unfortunately, the limited progress achieved in the reunification talks since 2008 heightens this general sense of despair.

In fact, a few weeks ago U.N. Special Advisor for Cyprus Alexander Downer even stated, ''It could not go any slower without stopping altogether. The last three months have been the worst three months we've ever had since these negotiations began.''

This lack of constructive movement can be directly attributed to the behind-the-scenes interference from Ankara and the new hard-line representative from the Turkish community, Dr. Dervish Eroglu.

It is apparent that there are some both in Turkey and in the leadership of the Turkish-Cypriot community who believe that continued obstruction of the talks serves their best interests by garnering domestic political support.

I would argue that such a mercenary approach to these talks in fact prevents the Turkish-Cypriot people from attaining that which is in their long-term best interests.

Until there is the reunification of the country, the Turkish-Cypriot community cannot fully benefit from the economic and social benefits derived from Cyprus' membership in the European Union.

As a result, Turkish-Cypriots endure a far lower standard of living, reduced foreign direct investment, and other limitations on their overall development.

Therefore, I urge the representatives of the Turkish-Cypriot community to promote their own community's interests rather than their own by working for reunification of the island.

In that regard, I was encouraged by the recent pledge by both parties, President Dimitris Christofias and Dr. Dervish Eroglu, to commit once more to the talks with the aim of making substantial progress this year.

In order for these talks to succeed however, Turkey must grant the Turkish-Cypriot community full autonomy in the reunification negotiations and to publicly commit to abiding by any terms agreed upon in a Cypriot developed reunification agreement.

That includes the full, permanent withdrawal of its troops of occupation from Cyprus.

I will continue to do what I can in my role in Congress to support such reunification efforts, until that long-awaited day when the next generation of Cypriot youth realize the hopes of their predecessors for a sovereign Cyprus—independent, unified, and at peace.

FLOOD INSURANCE REFORM ACT OF 2011

SPEECH OF

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 2011

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1309) to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes:

Mr. REED. Mr. Chair, I rise today to express my frustration regarding the FEMA flood remapping process, an issue that will impact my district and many others.

We have recently debated and accepted multiple amendments and voted on H.R. 1309, the Flood Insurance Reform Act of 2011. While I supported this bill and am grateful for all it does to help our constituents navigate through this very complex issue, I think we need to continue to examine the root of the problem, which is the flood mapping process that determines these areas require constituents to purchase flood insurance in the first place.

I understand the importance of the FEMA flood maps. It is vital that we are able to identify flood risk areas and make sure people living in those areas are protected from catastrophic flooding. However, with these new maps, due to be completed in the near future, FEMA has changed the standards which affect more than 100,000 miles of levees across the United States.

As a result, many of my constituents who have never had any issues with major flooding could be forced to purchase mandatory flood insurance costing thousands of dollars a year. This is despite the fact that these constituents enjoy the protection, in the case of a major flood, of a sound levee system.

It may not be the exact protection that FEMA has begun demanding, but it is adequate as constructed by the Army Corps of Engineers following the flooding caused by Hurricane Agnes.

Yet the new regulation requires these hard-working family homeowners to find a way to

pay for completely unnecessary flood insurance for a flood they will never see. It's a classic example of a concept which looks good on a white board in some Washington office but that has unintended negative consequences in the real world.

While H.R. 1309 helps to alleviate some of these issues, we must get to the heart of the matter. I believe Mr. WALBERG's amendment to H.R. 1390 was an excellent step towards doing so and I was very pleased to lend my support to it.

The Walberg amendment placed a moratorium on new updated maps until a Technical Mapping Advisory Council submits new mapping standards to FEMA and Congress, which allows for map revision and updates with local input. I also supported Mr. MCGOVERN's amendment to gain reimbursement for communities when they rightfully challenge FEMA on its mapping errors.

I am determined and will continue working for a long-term solution to the root of the problem, which is that these maps simply don't accurately reflect actual flood risks. The proposed maps certainly don't accurately reflect the flood risks, or lack thereof, in my district.

HONORING LOGAN CHEVALIER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Logan Chevalier. Logan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and earning the most prestigious award of Eagle Scout.

Logan has been very active with his troop, participating in many scout activities. Over the many years Logan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Logan has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Logan Chevalier for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING THE 60TH ANNIVERSARY OF PEQUANNOCK TOWNSHIP FIRST AID AND RESCUE SQUAD INC.

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the members of the Pequannock Township First Aid and Rescue Squad located in Morris County, New Jersey as they celebrate the organization's 60th anniversary.

Founded in 1951, the original members of the squad were concerned with providing ambulance services to the people of Pequannock. The squad was established as a not-for-profit corporation and was built upon the commitment of selfless volunteers who have dedicated countless hours to training and protecting their community. Their membership has grown over the years, and with an ever expanding community, the time came for the squad's headquarters to grow as well.

With only a basic four walled building to house their two ambulances, members had to remove the vehicles in order to hold meetings. In 1968, they expanded the building to include a meeting room, kitchen and bathrooms. A second expansion came in 2002, with the addition of a new garage and second story. With a final renovation of the original structure in 2008, the squad was now equipped to better train their members and prepare them for aiding the community.

In addition to handling the many emergency calls, the squad also provides standby coverage at various sporting events and fundraisers, and works with other township organizations in educating the public through CPR/First Aid training and an anti-drunk driving program.

It is important to honor the select few in our communities who give of their time to help others. The past and present members of the Pequannock Township First Aid and Rescue Squad have provided an irreplaceable service to their community; one that I am sure will continue to grow for many more years to come.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Pequannock Township First Aid and Rescue Squad on the celebration of their 60th anniversary.

HONORING MATTHEW APPLEBURY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Matthew Applebury. Matthew is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and earning the most prestigious award of Eagle Scout.

Matthew has been very active with his troop, participating in many scout activities. Over the many years Matthew has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Matthew has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Matthew Applebury for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING THE MOORE FAMILY

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. LAMBORN. Mr. Speaker, I rise to recognize an exemplary Colorado family: Nelson and Cruz Moore and their children, Rachel and Jacob. I would like to express my gratitude to the Moore family for their service to the State of Colorado. They have taken upon themselves to care for and preserve a culturally and historically significant Jewish gravesite in Cotopaxi, Colorado.

Cotopaxi, Colorado is the site of the unsuccessful Jewish agricultural resettlement effort of 1882–1884. It was the first Jewish American agricultural colony sponsored as part of the American Jewish aid movement through the Hebrew Emigrant Aide Society. The Jewish settlers endured difficult circumstances as they sought to establish themselves as farmers in Cotopaxi. Despite assistance from the local Christian community, the Jewish agricultural community still failed due to the harsh Colorado winters, unsuitable terrain, and the lack of promised housing and provisions by their local sponsor. Today, all that is left of the colony is the small graveyard of three Jewish children that lost their lives during the first winter of the attempted settlement. A historic marker has been erected by the Jewish American Society for Historic Preservation telling the story of the colony, helping preserve its memory, and highlighting the friendship of the two groups, united as Americans.

At the Cotopaxi grave site, Moore cleared the overgrown grasses and stabilized the area. He placed decorative stones around the three Jewish graves taken from a local silver mine that some of the Jewish men worked in. He also created and arranged the stones in the shape of the Star of David in the middle of the three graves. The Moore family is continuing their Christian friendship for the Jewish people, even though it has been 130 years since the Jewish settlers first arrived in Cotopaxi. The memory of these immigrants is honored and carried on through the Moore family's efforts to preserve the history of Colorado and America.

I am honored to acknowledge and to thank them publicly for their exemplary dedication and Christian friendship with the Jewish people.

HONORING MATTHEW DREILING

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Matthew Dreiling. Matthew is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and earning the most prestigious award of Eagle Scout.

Matthew has been very active with his troop, participating in many scout activities. Over the many years Matthew has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Matthew has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Matthew Dreiling for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. COHEN. Mr. Speaker, I inadvertently cast a ''yea'' vote on rollcall No. 537, as part of the consideration of the Energy and Water Appropriations bill. I would like to change my vote on the amendment to ''nay.''

When I cast my vote, I was under the impression that this amendment was a measure solely designed to reduce the federal deficit. However, after casting my vote I learned that this deceptive policy amendment specifically zeroes out money for climate change projects within the Corps' Operations and Maintenance Program. I oppose this amendment as I believe that the Corps and the entire federal government need to work quickly to reduce carbon emissions and to adapt infrastructure so it is capable of withstanding the impacts of climate change. I also oppose the amendment because I believe that sneaking deceptive policy riders into appropriations legislation is not the proper way to create policy and govern this great nation.

I have the privilege of representing Memphis, Tennessee, which was inundated this year with historic floods. There is no doubt in my mind that these floods were exacerbated by climate change which caused record snowfalls and rainfalls across the Midwest that resulted in the record flooding. As bad as these floods were, the impacts would have been magnitudes worse had it not been for the Army Corps of Engineers' tremendous work to control the flood. I strongly support the Army Corps and appreciate their efforts to safeguard the American people and economy.

HONORING SETH BARTON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Seth Barton. Seth is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and earning the most prestigious award of Eagle Scout.

Seth has been very active with his troop, participating in many scout activities. Over the many years Seth has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Seth has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Seth Barton for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN TRIBUTE OF MS. KATHLEEN LEDWIDGE AND MR. WALTER JOHNSEN

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. COURTNEY. Mr. Speaker, I rise today to extend my sincerest congratulations to Ms. Kathleen Ledwidge and Mr. Walter Johnsen, who brought home the silver medals last Thursday from the Special Olympics World Games in Greece. Connecticut's Second District is honored to recognize the extraordinary sailors, Kathleen and Walter, who hail from Mystic and Stonington, respectively.

The very first time Walter and Kathleen sailed together was at the Special Olympic Games in Athens this year. Walter, who is only 15 years old, was partnered with Kathleen and they placed second, only points behind a team from Austria. While this may have been their first opportunity to sail together, these two have become lifelong friends who will sail the waters of the world for years to come.

Spike Lobdell, President of the Stonington Harbor Yacht Club Sailing Club, said that every Tuesday afternoon, Walter, Kathy, and many other athletes attend training where their lessons not only improve their sailing skills but also their lives. He said that their goal is to teach life skills and that beyond their silver medals in the top bracket, ''Kathy and Walter are even more impressive off the water.''

As we know, the Special Olympics began its remarkable tradition more than forty years ago when founder Eunice Kennedy Shriver recited the oath that is still said today: ''Let me win, but if I cannot win let me be brave in the attempt.'' Since those sacred words were first spoken, 3.1 million athletes from 185 countries have participated in the Games, including the 12,000 who participated in Greece this year.

It is inspiring to witness such talent from individuals in Connecticut. It takes significant courage to represent your State and your country and I would like to commend them and their fellow athletes for their bravery. The Special Olympics will always serve as a reminder of the importance of giving everyone a chance to be themselves in a world where it is sometimes difficult to do so.

As President Barack Obama recently said, the ''Special Olympics, as a champion for people with intellectual disabilities, teaches our nation—and our world—that no physical or mental barrier can restrain the power of the human spirit.'' We have seen that spirit in the accomplishments of these two sailors. I ask that my colleagues join me in offering our sincerest congratulations to our brave and talented athletes, Ms. Kathleen Ledwidge and Mr. Walter Johnsen.

HONORING SPENCER HARTLEY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Spencer Hartley. Spencer is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and earning the most prestigious award of Eagle Scout.

Spencer has been very active with his troop, participating in many scout activities. Over the many years Spencer has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Spencer has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Spencer Hartley for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONDEMNING RECENT VOTER SUPPRESSION LEGISLATION

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. HASTINGS of Florida. Mr. Speaker, on May 19, Florida Governor Rick Scott signed into law an egregious Republican bill attacking from all angles one of the most fundamental rights of our democracy: the right to vote.

The transgressions contained in this bill are not minor inconveniences but elements of a systematic attack against the voting rights of minorities both in Florida and across the country.

In fact, since the adoption of the Voting Rights Act in 1965, the Department of Justice has overturned a total of 428 separate laws across the country for unconstitutionally infringing on the voting rights of minorities. Governor Scott's law needs to be number 429.

The bill that Governor Scott and Florida Republicans have forced into law is nothing more than a backdoor poll tax. It limits access to the polls for minorities, seniors, and college students. It reduces the number of early voting days and imposes new restrictive regulations on voter registration groups.

With this bill, Governor Scott and the Republicans have sold out the most basic rights of Florida's voters in a brazen act of political gamesmanship reminiscent of Reconstruction.

Fortunately, DOJ is finally now reviewing the law after Republicans refused to submit their bill for preclearance. A number of groups, including the League of Women Voters and the American Civil Liberties Union (ACLU), sent a letter to Secretary of State Kurt Browning opposing the law.

The ACLU and Project Vote Smart have also filed a lawsuit under the Voting Rights Act to prevent implementation of these new rules. It is my hope that soon we can end the affront that is this discriminatory law.

We cannot sit idly by and let Governor Scott and his cronies in the Republican-led legislature turn back the clock on 40 years of progress just to create an advantage for themselves on Election Day.

It is the voters of Florida who stand to lose the most from this law, Mr. Speaker.

We have not come this far only to have Republicans maliciously undermine our fundamental rights as Americans. When the rights of Americans are trampled and discarded with nothing more than a shrug, it must not go overlooked.

We have noticed, we are furious, and we will not let this go!

HONORING DR. TERRY W. HEIMAN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Dr. Terry W. Heiman. Terry retired June 30 after 33 years serving the Missouri Department of Elementary and Secondary Education.

Terry has served as the Director of Agricultural Education since 1984, providing the leadership and vision that has provided Missouri with a strong and expanding agricultural education program. Individual enrollment in agricultural education has doubled during Terry's leadership, with programs currently in 326 high schools and 12 community colleges. Terry also served as the state advisor to the Missouri Future Farmers of America program, watching that program grow to include more than 25,000 members. National organizations have also benefitted from Terry's leadership, including his time as National President of the National Supervisors of Agricultural Education and as a board member of the National FFA. Terry's commitment to agriculture has been recognized by the University of Missouri-Columbia as the College of Agriculture Alumnus of the Year and by the Missouri Farm Bureau for Outstanding Service to Agriculture.

Mr. Speaker, I proudly ask you to join me in commending Dr. Terry W. Heiman for his accomplishments with the Missouri Department of Elementary and Secondary Education and in wishing him the best of luck in the years to come.

HONORING PRIVATE FIRST CLASS HAROLD KENNER

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. CRENSHAW. Mr. Speaker, I rise today to honor a hero of World War II, Private First Class Harold Kenner, United States Army. After 67 years, PFC Kenner is finally home and will be buried July 29 at Arlington National Cemetery with full military honors. It has been a long journey for this West Scranton, PA, native, but his story illustrates the military's commitment to bring its troops home—no matter how long it takes.

You see, PFC Kenner, a member of the Army's 401st Glider Infantry Regiment, G Company, was listed as missing in action on September 30, 1944, during Operation Market Garden in the Netherlands. The Allies used 933 gliders to bring its troops and supplies to the battlefield. The fight would last 72 days as the Allies tried to keep the corridor open in the Zon-Veghel area of Holland. The fighting was extremely heavy and so were the casualties. PFC Kenner died on that battlefield, but his body was not recovered.

PFC Kenner was buried in the Kiekberg Woods near Groesbeek, Netherlands, unbeknownst to the Army. His family was notified of his death, but they did not know what happened to him or his body. In 1987, remains were found at that gravesite, and recently, thanks to DNA samples those remains were positively identified as PFC Harold Kenner. Now, this brave American soldier will return to his homeland and rest among other heroes at Arlington.

Harold Kenner was only 20 years old when he died, but he was a member of the Greatest Generation. Posthumously, he was awarded the Purple Heart, Army Good Conduct Medal, American Campaign Medal, European-African-Middle Eastern Campaign Medal with two Bronze Service Stars and Bronze Arrowhead Device, World War II Victory Medal, Glider Badge, Honorable Service Lapel Button for World War II, French Croix de Guerre, Belgium Gourragere and Netherlands Orange Lanyard.

PFC Kenner died in the largest airborne operation in the war up to that point as the Allies attempted to seize a succession of bridges over the main rivers of the Nazi-occupied Netherlands, allowing them to outflank the Siegfried Line and advance into Northern Germany. The movie, A Bridge Too Far, told the story of this failed mission.

According to military records, members of Kenner's 401st and the 325th Glider Infantry regiments were dropped into an area around Grave and the Waal River in Nijmegen on September 23, 1944. They were dropped behind enemies lines and over the next week, PFC Kenner and his fellow soldiers were repeatedly attacked by the Germans. The wet, dense woods made it difficult for the men to navigate, and the weather resulted in rusted, jammed guns.

On the morning of September 30, the woods were lit up with a relentless barrage of artillery fire on both sides. Company commanders were ordered to move onward and continue the attack, despite the fact that their wounded were left in German positions. Heavily armed, the enemy held positions on both flanks. As the day wore on, G Company's communication lines broke down amid the chaos, leaving soldiers separated from their platoons and scattered throughout the dense woods. When the day finally ended, G Company had sustained heavy casualties, and five men were missing in action (MIA), including PFC Kenner.

A year later, on October 1, 1945, the War Department, despite never recovering a body, issued a finding of death for PFC Kenner. In the years that followed, the Kenners accepted that Harold was gone, but he was never out of their hearts.

The Army never gave up looking for the missing members of G Company in the Kiekberg Wood. Finally, in 1987, a second burial site was uncovered in the wooded area, two miles south of Groesbeck and seven miles southeast of Nijmegen. A Dutch search-and-recovery team turned the American soldier's remains over to the United States Army Memorial Affairs group in Europe. From there, PFC Kenner—not yet identified—went to Hawaii to the Central Identification Laboratory. It was believed that the skeleton was, indeed, one of the missing five G Company soldiers; specifically 1st Lt. Joseph F. Myers. CIA determined it was a male who was 17 to 23 years of age, between 64 and 70 inches tall and had a fracture on the left forearm at or near the time of death. They also determined it was not Lt. Myers.

The remains were returned to the Netherlands in 2001. Five years later, the CIA decided to try to examine the remains against DNA supplied by family members of the other four missing G Company members. Using the DNA and dental records, it was concluded that the remains were PFC Harold Kenner.

Harold's mother and father, Henry and Pearl Kenner, and his two siblings, Henry and Ruth, are deceased. But 50 members of his family will attend his funeral and finally bring this true American hero home. His journey is a vivid reminder of the heroism and sacrifices of our troops and our military families, whether they serve today or yesteryear. Welcome home, PFC Harold Kenner, and may you now rest in peace.

PERSONAL EXPLANATION

HON. JOHN CAMPBELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. CAMPBELL. Mr. Speaker, on July 8, 2011, I missed rollcall votes 525–533. I was in my home state of California attending, in my role as Co-Chairman of the Congressional United Kingdom Caucus, a working reception in honor of Their Royal Highnesses, the Duke and Duchess of Cambridge. Had I been here, I would have voted:

"Yes" on rollcall vote 525: To reduce Defense Wide Operation and Maintenance by $250 million in order to prohibit the Secretary of Defense from transferring $250 million to the Department of Education to repair public schools on military bases operated by local education agencies.

"Yes" on rollcall vote 526: To reduce the Overseas Contingency Operations Transfer Fund by $3.6 billion.

"Yes" on rollcall vote 527: To reduce funding for Research, Development, Test and Evaluation by 1 percent saving $730 million.

"No" on rollcall vote 528: None of the funds made available by this Act may be used to implement the curriculum of the Chaplain Corps Don't Ask, Don't Tell repeal training regarding the performance of same sex marriage ceremonies.

"Yes" on rollcall vote 529: None of the funds made available by this Act may be used to maintain an end strength level of members of the Armed Forces of the United States assigned to permanent duty in Europe in excess of 30,000 members. Reduces funding for military personnel by $813 million.

"Yes" on rollcall vote 530: None of the funds made available in this Act may be used for military operations in or against Libya except under a Congressional declaration of war.

"No" on rollcall vote 531: Motion to recommit H.R. 2219 with instructions to transfer $200 million from the Afghanistan Security Forces Fund to the Yellow Ribbon Re-Integration program.

"No" on rollcall vote 532: On passage of H.R. 2219, Making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes.

"Yes" on rollcall vote 533: On passage of H. Res. 340, the rule providing for consideration of H.R. 1309, the Flood Insurance Reform Act of 2011.

A TRIBUTE IN HONOR OF DONALD KENNEDY, PH.D. ON THE OCCASION OF HIS 80TH BIRTHDAY

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Ms. ESHOO. Mr. Speaker, I rise to honor Donald Kennedy, Ph.D., a highly distinguished American and treasured friend on his 80th birthday.

Dr. Kennedy was born in New York on August 18, 1931. He earned his A.B. and Ph.D. degrees in biology from Harvard University, but left the East to spend his academic career at Stanford University, a jewel in the crown of the 14th Congressional District. He joined Stanford in 1960 and was named Chair of the Department of Biology in 1964. In 1972, he became the Director of the Program in Human Biology, where he served until 1977.

In l977, Don Kennedy was appointed Commissioner of the Food and Drug Administration by Health Education and Welfare Secretary Joseph Califano. After giving our nation the benefit of his wisdom and considerable talents at the FDA, he returned to Stanford in 1979 and succeeded Richard Lyman as President of the University in 1980. He served with dignity and distinction until his resignation in 1991. He was Editor-in-Chief of Science from 2000 to 2008, and is now the Bing Professor of Environmental Science and President Emeritus of Stanford.

I've been privileged to know Don Kennedy for many years. He has been a friend, a mentor, and an inspiration to me and to thousands more. Generations of students have been the beneficiaries of his wise counsel and his scientific knowledge. We've been blessed with his ability to see the 'big picture' and to make connections across disciplines. His early attention to the health consequences of environmental degradation was visionary and his commitment to changing policies to benefit the health of our planet is nothing short of extraordinary.

Mr. Speaker, I ask the entire House of Representatives to join me in wishing Don Kennedy, a patriot in the highest sense of the word, a joyful, family and friend-filled 80th birthday. May this milestone be just the beginning of more productive, creative and prolific decades. Don Kennedy is indeed a national treasure and it is a privilege to represent him and his wonderful wife Robin, and call them my friends.

HONORING FLORIDA'S SECONDARY SCHOOL PRINCIPAL OF THE YEAR

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. CRENSHAW. Mr. Speaker, I rise to pay tribute to a truly gifted educator from Northeast Florida, Jackie Cornelius, who has been named Florida's Secondary School Principal of the Year.

With tireless dedication, Jackie guides young students and their teachers to achieve their best as principal of the Douglas Anderson School of the Arts in Jacksonville, Florida. You can accomplish anything if you truly believe in it—that is Jackie's philosophy, and she sticks to it.

With this award, her special brand of leadership will be shared across the country as she competes for national honors. It's really no surprise that Jackie has taken state-wide honors. Now, it's time for the rest of the Nation to have the opportunity to learn from this truly inspiring woman. Congratulations and best wishes.

HONORING THE SERVICE OF DR. JOHN McGUIRE

HON. W. TODD AKIN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. AKIN. Mr. Speaker, I rise today to honor the service of Dr. John McGuire.

Since November 1996, Dr. McGuire has served as President of St. Charles Community College, St. Peters, Missouri. Prior to his current presidency, he served as President of Owensboro Community College in Owensboro, Kentucky.

Dr. McGuire has served over forty years in community colleges in five states, including chief academic and student services officer at Community College of Aurora, Colorado, and assistant chief academic officer at Parkersburg Community College in Parkersburg, West Virginia. He has exercised leadership in institutional research and effectiveness, student success, and statewide policies to strengthen transfer opportunities for community college students.

Dr. McGuire serves on numerous civic and educational boards, including Past President of the Executive Committee of the Economic Development Council in St. Charles County, former President of the Missouri Community College Association Presidents and Chancellors Council, member, board member of the St. Louis Regional Commerce and Growth Association (RCGA), and has served on the Barnes-Jewish St. Peters and Progress West Hospital Advisory Board. He has also previously served on the American Association of Community College Presidents Academy Executive Committee, the FOCUS St. Louis Board, and past president of the St. Peters Chamber of Commerce.

I rise today to express my sincere gratitude to Dr. John McGuire and the many years of service he has dedicated to Missouri and to the education of so many. I wish him the best in his retirement and ask my colleagues to join me in thanking him for his years of service.

RECOGNIZING LAUREN CHANG OF BURKE, VA

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize Lauren Chang of Burke, Va., for her participation in the People to People World Leadership Summit in Washington, D.C.

People to People offers young leaders the opportunity to grow educationally while exposing them to new cultures. Founded in 1956 under the auspices of the Eisenhower Administration, People to People has continuously enjoyed Presidential support for its mission of instilling our nation's next generation of leaders with the international experience they will need to succeed in an increasingly global society and economy.

Lauren's acceptance to the program is no small accomplishment. Academically selective, the program is built for the brightest students in the nation. From June 30–July 6, Lauren participated in numerous educational activities in the Washington, D.C., area, all of which were focused on leadership development. Lauren and her fellow participants gained access to areas of American government rarely seen at such a young age, and that experience will serve her well in her studies.

Mr. Speaker, I ask my colleagues to join me in recognizing Lauren Chang and wishing her continued success in the future.

PERSONAL EXPLANATION

HON. JOHN ABNEY CULBERSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. CULBERSON. Mr. Speaker, due to family obligations, I was unable to attend the vote on H. Res. 268 last Wednesday, July 7, 2011. However, I would like to make it known that as a co-sponsor of the resolution, I would have proudly voted for H. Res. 268 in support of Israel.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. COFFMAN of Colorado. Mr. Speaker, today our national debt is $14,342,965,850,128.20.

On January 6th, 2009, the start of the 111th Congress, the national debt was $10,638,425,746,293.80.

This means the national debt has increased by $3,704,540,103,834.40 since then.

This debt and its interest payments we are passing to our children and all future Americans.

RECOGNIZING ALEXANDER HORNADAY OF SPRINGFIELD, VA

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to honor Alexander Hornaday, a 2011 People to People World Leadership Forum participant. Alexander has been identified by his educators for his academic excellence, leadership potential and exemplary citizenship to participate in the People to People World Leadership Forum in Washington, D.C.

This leadership forum allows students to participate in daily educational activities in

Washington, D.C., as well as the surrounding areas. The program allows participants to make friends with young leaders from all over the world with a focus on leadership development. At the end of the program, participants receive a certificate of completion.

Alexander is a student at West Springfield High school in Springfield, Virginia. He has been active in his school and community on issues regarding agriculture and environment. It is inspiring to see young people who are interested in educational and developmental experiences such as these.

Mr. Speaker, I ask my colleagues to join me in recognizing this remarkable achievement by Alexander Hornaday and wishing him continued success in his further pursuits.

PTO LETTER

HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. ROHRABACHER. Mr. Speaker, a fellow southern Californian recently was featured in the LA Times with respect to an issue involving one of his patents ("Defending patents takes financial toll on inventor," LA Times, June 14, 2011). In addition, this week, a letter to the editor from former Senator Birch Bayh appeared in the Congress Blog from Hill.com and referenced a letter that the former Senator recently received from the U.S. Patent and Trademark Office (PTO) about the very same issue.

While I am not weighing in on the merits of this particular case, the underlying issue involved should be of great concern. Therefore, I am submitting the aforementioned PTO letter.

UNITED STATES PATENT
AND TRADEMARK OFFICE,
Alexandria, VA, June 3, 2011.

Hon. BIRCH BAYH,
Venable LLP,
Washington, DC.

DEAR MR. BAYH: Thank you for your recent letter on behalf of Lawrence Lockwood. The letter indicates that Mr. Lockwood filed a petition for writ of certiorari in the United States Supreme Court seeking review of the Federal Circuit's decision affirming the trial court's holding that state tort claims by patent holders against persons who file sham reexamination requests are preempted by Federal patent law. The letter asks the United States Patent and Trademark Office (USPTO) to confirm that there are no procedures permitting a damages remedy for patent owners subjected to sham reexamination requests, and to state whether it sees a problem with patent owners pursuing state tort claims for such damages.

The USPTO can confirm that it does not have a procedure that offers a damages remedy for patent owners in Mr. Lockwood's position. As to your request for the USPTO's support of Mr. Lockwood's case, please understand that the USPTO cannot participate in the case without the Solicitor General, who rarely files uninvited amicus briefs at the cert stage. Moreover, any amicus brief would be due very shortly at this point, given that Mr. Lockwood has already filed his petition.

Please know that the USPTO is sympathetic to the concerns of patent owners. The agency is particularly concerned whenever a patent owner is subjected to a fraudulent reexamination or some other form of harassment. Thus, the USPTO will be monitoring Mr. Lockwood's certiorari petition closely. At the same time, we note that the USPTO has the power to police misconduct through its Office of Enrollment and Discipline (OED). Anyone with knowledge of unethical conduct can report it to OED for investigation.

Sincerely,

DAVID J. KAPPOS,
Under Secretary and Director.

RECOGNIZING MARC SCARBROUGH OF WOODBRIDGE, VA

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize Marc Scarbrough of Woodbridge, Va., for his participation in the People to People World Leadership Summit in Washington, D.C.

People to People offers young leaders the opportunity to grow educationally while exposing them to new cultures. Founded in 1956 under the auspices of the Eisenhower Administration, People to People has continuously enjoyed Presidential support for its mission of instilling our nation's next generation of leaders with the international experience they will need to succeed in an increasingly global society and economy.

Marc's acceptance to the program is no small accomplishment. Academically selective, the program is built for the brightest students in the nation. From June 30–July 6, Marc participated in numerous educational activities in the Washington, D.C., area, all of which were focused on leadership development. Marc and his fellow participants gained access to areas of American government rarely seen at such a young age, and that experience will serve him well in his studies.

Mr. Speaker, I ask my colleagues to join me in recognizing Marc Scarbrough and wishing him continued success in the future.

CONGRATULATIONS CALLAHAN FAMILY

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. WILSON of South Carolina. Mr. Speaker, I am happy to congratulate my good friend and senior legislative assistant Paul Callahan and his wife Jenni on the birth of their daughter Penelope Joy Callahan. Penelope was born on Wednesday, July 13, 2011, in Alexandria, Virginia. She is welcomed home by her sister, Charlotte, and brother, Judah.

Penelope Joy Callahan is nine pounds and three ounces and 22½ inches of pride and joy to her loving grandparents, Gerald T. and Madonna Callahan of Taylors, South Carolina, and Steve and Pam Crowe of Taylors, South Carolina.

I am so excited for this new blessing to the Callahan family and wish them all the best.

ENDOCRINE DISRUPTING CHEMICALS EXPOSURE ELIMINATION ACT OF 2011

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. MORAN. Mr. Speaker, for decades our sons and daughters have been exposed to a chemical stew in water, food, fragrances, personal care products, children's toys, and household items. Unfortunately we do not know if this chemical stew is safe for pregnant mothers, their unborn babies, young children, or for that matter, anyone else. That is why I'm pleased today, along with Mr. MAURICE HINCHEY, Mr. GERRY CONNOLLY, Ms. ELEANOR HOLMES NORTON, Mr. GEORGE MILLER, Ms. LAURA RICHARDSON, Mr. RAÚL GRIJALVA, Ms. JAN SCHAKOWSKY, Ms. NITA LOWEY, Mr. BOBBY RUSH, Mrs. LOIS CAPPS, Mr. JAMES MCGOVERN, and Mr. DAVID PRICE, to introduce the "Endocrine Disrupting Chemicals Exposure Elimination Act of 2011." This bill is of enormous importance because it will arm us all with the information that we need to keep our families safe from these potentially harmful chemicals.

There are numerous alarming studies showing increasing disease rates unheard of generations before. Asthma rates have nearly tripled in the past three decades. The United States Centers for Disease Control (CDC) reported this year that one of every six American children has a developmental disorder such as attention deficit hyperactivity disorder, dyslexia, and mental retardation. A recent study from Korea shows that 4 percent of children have autism spectrum disorder—that is one in every 25 children!

Just this week an extensive University of Michigan study confirmed the correlation of phthalates and bisphenol A (BPA) to thyroid disruption. Thyroid hormones play a vital role in many human physiological processes including fetal and child growth and brain development, as well as energy balance, metabolism, and other functions in the nervous, cardiovascular, pulmonary, and reproductive systems of children and adults. The study confirmed previous reports associating phthalates and BPA with altered thyroid hormones.

Phthalates and BPA are high-production chemicals commonly used in plastics and other applications, including fragrances in perfumes, children's toys, and body-care products. Exposure to these chemicals among Americans is widespread, according to the CDC. Recent studies show a decline in brain development related to phthalates and BPA exposure. Chemically-induced altered thyroid function may also be involved in increased waist circumference, insulin resistance, and diabetes among adults.

Cancer, after accidents, is the leading cause of death among children in the United States. Primary brain cancer increased by nearly 40 percent and leukemia increased by over 60 percent among children 14 years and younger in the last 30 years. Childhood obesity has quadrupled in the past 10 years. Type-2 diabetes has increased drastically. There is an increase in sexual abnormalities, particularly in newborn boys. An analysis of the umbilical cords of a test group of newborns found over 200 chemicals in the blood—chemicals to

which the mother had unwittingly transmitted to her fetus.

But these problems do not end with children. These chemically-induced changes linger into adulthood. Forty-one percent of Americans will be diagnosed with cancer at some point in their lives, and about 21 percent will die from that cancer. When we look at these trends, it becomes glaringly obvious that something in our environment is making us sick.

There is mounting evidence suggesting that these alarming public health trends are the result of chemicals in the environment that disrupt the endocrine system. Small amounts of these chemicals, or mixes of these chemicals, it has been shown, can have a huge impact on our health and ultimately American healthcare costs. As a result, health groups including the Endocrine Society, The Endocrine Exchange, and renowned scientific authorities like Dr. Fred S. vom Saal have all endorsed this bill.

The Endocrine Society, the world's oldest and largest professional organization devoted to endocrine research, found that ''endocrine disruptors have effects on male and female reproduction, breast development and cancer, prostate cancer, neuroendocrinology, thyroid, metabolism and obesity, and cardiovascular endocrinology.'' Based upon these findings they recommended that we increase ''basic and clinical research.''

In addition to these troubling human diseases, we're also seeing chemically-induced changes in wildlife. In parts of the Potomac River, 100 percent of the studied male small mouth bass are intersex—meaning that they are carrying both male and female reproductive organs. We are eating these fish and we are drinking the water that they swim in. Because of this, Trout Unlimited, one of the largest fisheries conservation organizations in the country, also endorsed this bill. As I said years ago when intersex fish were first reported, this discovery should serve as our early warning telling us that something is gravely wrong.

Close to 14 years ago, Congress enacted legislation requiring the U.S. Environmental Protection Agency to establish an Endocrine Disruptor Screening Program. To date that endeavor has focused primarily on pesticides, to the exclusion of other chemicals. The agency has been hamstrung by its use of old science and interference by the chemical industry.

This bill will facilitate increased study and regulation of endocrine disrupting chemicals. It will require that the government focus on the chemicals of most concern, to which people are exposed through drinking water, food, household items, toys, and personal care products. It will empower federal agencies with jurisdiction to consider a range of peer-reviewed scientific sources of information on toxicity, and to act quickly in regulating substances found harmful to human health.

Finally, for those chemicals that scientists overwhelmingly agree are the most hazardous, the bill will restrict them only to uses that ensure they cannot get into human bodies. Twenty-four months after scientists find that a chemical is an endocrine disruptor, that chemical will be banned unless the industry using that chemical can ensure that it will not enter our food, our water, or our bodies.

It is time to take action. It is time we increase research on these chemical impacts. And it is time for the most dangerous chemicals to be controlled. The Endocrine Disrupting Chemicals Exposure Elimination Act of 2011 will do just that.

RECOGNIZING JOSHUA LAYOG OF MONTCLAIR, VA

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize Joshua Layog of Montclair, Virginia, for his participation in the People to People World Leadership Summit in Washington, D.C.

People to People offers young leaders the opportunity to grow educationally while exposing them to new cultures. Founded in 1956 under the auspices of the Eisenhower Administration, People to People has continuously enjoyed Presidential support for its mission of instilling our nation's next generation of leaders with the international experience they will need to succeed in an increasingly global society and economy.

Joshua's acceptance to the program is no small accomplishment. Academically selective, the program is built for the brightest students in the nation. From June 20–24, Joshua participated in numerous educational activities in the Washington, D.C., area, all of which were focused on leadership development. Joshua and his fellow participants gained access to areas of American government rarely seen at such a young age, and that experience will serve him well in his studies.

Mr. Speaker, I ask my colleagues to join me in recognizing Joshua Layog and wishing him continued success in the future.

HONORING JIMMY SMITH FOR HIS SERVICE AS CHAIRMAN OF THE NORTH COAST INTEGRATED REGIONAL WATER MANAGEMENT PLAN

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Jimmy Smith, chairman of the North Coast Integrated Regional Water Management Plan (NCIRWMP) Policy Review Panel for 7 years, honoring his dedication to, and his achievements toward, healthy North Coast communities and ecosystems.

Mr. Smith has become known for his inclusiveness, diplomacy, and transparent leadership style through his work on the Policy Review Panel. He played a critical role in shepherding the North Coast through its first project prioritization process, helping the panel make difficult policy decisions to reduce the NCIRWMP's priority funding list from $50 to $25 million.

Mr. Smith led the panel through the unanimous adoption by the region's seven county Boards of Supervisors of the first and second phases of NCIRWMP. His leadership was instrumental in securing more than 70 signatories to the NCIRWMP Memorandum of Mutual Understanding.

Mr. Smith hosted the NCIRWMP's first Integrated Regional Water Management Conference, bringing more than 250 attendees to the North Coast region, representing over 50 entities comprised of local governments, tribes, legislators, agencies, watershed groups, providing a greater awareness of water management issues, watershed functions and future policy and funding opportunities.

Mr. Smith's oversight of the NCIRWMP top ranked proposals has brought more than $41 million to the North Coast. He worked for months on behalf of the entire North Coast community during the 2008 California ''bond freeze'' to minimize economic impact on disadvantaged communities and to ensure that the North Coast's priority infrastructure and environmental projects were able to move forward.

Mr. Speaker, it is appropriate at this time that we recognize my friend Jimmy Smith for his dedication and contributions to the North Coast Integrated Regional Water Management Plan and dedication to our community.

HONORING THE 30TH ANNIVERSARY OF THE LAND CONSERVANCY OF NEW JERSEY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Land Conservancy of New Jersey, located in Morris County, New Jersey, in celebration of thirty years of successful land preservation.

The Land Conservancy of New Jersey was founded on July 30, 1981 by Russell W. Meyers, with the goal to preserve land and water resources, conserve open space, inspire and empower individuals and communities and to protect natural land and environment. The Conservancy has worked with 58 municipalities in 11 counties, impacting over half of New Jersey's counties, and benefiting millions of residents throughout the state. The Conservancy has established an Aresty Mapping Center to produce professional, computer generated maps used throughout the state to target open space lands for preservation.

Concerned with preserving open space and protecting New Jersey's drinking water and other natural resources, the Conservancy helped to pass the Highlands Water Protection and Planning Act and the Highlands Stewardship Act in 2004.

The Conservancy has won several awards over the past 30 years, including the Take Pride in America National Award, given by the U.S. Department of the Interior in 2005. This award recognizes volunteer projects for youth organizations, corporations, and public/private partnerships among other categories.

In 2010 alone, the organization completed 27 projects and preserved over 1,364 acres of land. The Conservancy's devoted staff has worked closely with state and local government officials and agencies to make these projects possible.

This year their goal has been to preserve another 25 properties and 1,500 additional acres.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Land Conservancy of New Jersey for its 30 years of dedicated work on behalf of the great state of New Jersey.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2012

SPEECH OF

HON. ADAM KINZINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2219) making appropriations for the Department of Defense for the fiscal year September 30, 2012, and for other purposes:

Mr. KINZINGER of Illinois. Mr. Chair, there is no bigger supporter in this body of the Air Force than me. For nearly ten years, I have been privileged to serve my country in the Air Force and Air National Guard as a pilot. During that time I often thought, ''If I am willing to fight for my country on the outside, I must be willing to defend and preserve our country for future generations on the inside.'' Today I rise in support of my amendment to the Department of Defense Appropriations Act, H.R. 2219. My amendment would save the U.S. taxpayers nearly $100 million by not allowing the Air Force to redevelop the current flight suit.

Since coming to this House, my colleagues and I have been working diligently to determine essential versus non-essential government spending projects. One area I wanted to examine more closely was a $100 million project to develop a new flight suit for the Air Force, called the ''Integrated Aircrew Ensemble.'' This flight suit is not being developed in response to specific needs of the Air Force's next-generation fighter, the F–35 Lightning II. Rather, it is designed to integrate the already existing protections which are included in our current flight suit.

In February, at the Air Force's 2012 budget hearing, Chief of Staff General Norton Schwartz was asked—at my request—whether the Air Force was developing a new flight suit. General Schwartz stated, ''We are not in the business of redesigning our flight suit under the current circumstances.'' Since his testimony, General Schwartz said this quote is ''accurate but incomplete,'' and does not represent his position on the flight suit contract.

Our office met with management from TIAX LLC, the company awarded the contract. After reviewing the information from TIAX and speaking with many of my fellow pilots who fly different aircrafts, I remain confident that the current flight suit provides more than adequate protection.

Over the past 10 years, the Air National Guard has not had a single G–LOC (induced loss of consciousness due to excessive G-force) Class A mishap, while the Air Force has had 5 G–LOC Class A mishaps. Of those 5 Air Force Class A mishaps, 3 occurred in an F–16 aircraft, while the other two occurred in a T–6 and T–37, respectively. The Air Force was unable to provide details surrounding the T–6 and T–37 Class A mishaps; however, they were able to provide the details surrounding each of the F–16 Class A mishaps. In each of those cases, the pilot flying the F–16 was performing Basic Fighter Maneuvers (BFM) under the supervision of an instructor pilot. It is important to note that all of these accidents took place in a training environment and by young pilots still honing their skills. In none of the executive summary reports surrounding those accidents was the flight suit noted as a contributing factor toward causing G–LOC.

For these reasons, it is my strong belief that updating and integrating the flight suit will not be the panacea that proponents of the program claim in terms of protecting against these types of G–LOC Class A mishaps. Protecting against G–LOC has much more to do with the innate physical abilities of our pilots and the training they receive than any flight suit they will wear.

These findings led me to offer an amendment to the National Defense Authorization Act (NDAA) to postpone the flight suit development and save taxpayers nearly $100 million. This amendment was adopted into the NDAA, which passed the House by a vote of 322–96.

Many of my colleagues in the House support this amendment, including Congressman SAM JOHNSON (R–Texas), a twenty-nine-year Air Force veteran, former POW in Vietnam, former Director of the Fighter Weapons School and pilot with the Thunderbirds. He said, ''With men and women in harm's way in three different wars, the Air Force shouldn't even think about using scarce dollars for new flight suits.''

My other colleague, Congressman PETE OLSON (R–Texas) said, ''As a former Navy Aviator, I know firsthand that our current flight suits provide all of the protection and comfort our aviators need. Our nation is facing record debt and deficits and as such, we must apply careful scrutiny over every new project we are looking to fund. If I thought for one second that our pilots were in danger, I would be the first to support a new flight suit, but the reality is that this is a $100M solution looking for a problem.''

Senator KIRK (R–IL) also stated, ''While nothing takes precedence over protecting and arming our troops in the field, we still have a responsibility to protect taxpayers from excessive spending. Given our current fiscal situation, we must make tough decisions to ensure that tax dollars are spent efficiently—even at the Pentagon. Cutting a $100 million program the Air Force says it does not need is exactly the kind of spending restraint the American people want to see from Congress.''

Make no mistake, I am committed to ensuring our military is the strongest and best equipped in the world. However, we must make tough decisions with regard to military needs and military wants. I was sent to Washington to make difficult decisions, even those that require the military to prioritize its spending.

TRIBUTE TO MR. WILLARD OVERTON

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. DAVIS of Illinois. Mr. Speaker:

Whereas, the Almighty God has called to his eternal rest, Mr. Willard Overton; and

Whereas, Willard Overton was born on April 9, 1935 to the parentage of Arthur Overton Sr. and Osca C. Presley in Chicago, Illinois and was the 7th of 9 children; and

Whereas, Mr. Overton received his formal education in the Chicago Public Schools and worked for 31 years at AT&T Western Electric Hawthorne Works and retired at the age of 47, as the youngest person ever to retire from this company; and

Whereas, he received many awards and commendations for his outstanding works; and

Whereas, Willard was a very talented, bright, accomplished, witty and intelligent person who was committed to protecting and improving the quality of life; and

Whereas, he was actively involved with Provident St. Mel High School and was a regular and skilled debater on WVON and other radio talk shows: now be it

Resolved, that we pause and pay tribute to Mr. Willard Overton on a very outstanding and productive life.

On a personal note, Bill's niece Levogne and my wife Vera were best friends and worked together in the Business Department at Collins High School; brother Ray made my first political sign and Al had a variety store in front of my office on Cicero Avenue and was a benefactor to many of our community activities; and niece Crystal is a community and political activist who is involved with many of the public things that I do. A great family, I am proud to know them.

FALL RIVER CHAMBER URGES RESPONSIBLE ACTION

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. FRANK of Massachusetts. Mr. Speaker, an organization with which I am proud to work closely on behalf of economic development in the Greater Fall River Area, and for sensible national policies, the Fall River Area Chamber of Commerce, recently published in the Fall River Herald News a very thoughtful article which ''respectfully urges Congress to place the nation ahead of party politics by raising the federal debt limit without delay.'' The Chamber notes that ''failure to increase the statutory debt limit in a timely fashion can have a significant and long lasting negative impact on any potential recovery in the towns and cities of the South Coast.''

Mr. Speaker, the Chamber understandably and correctly notes that they are ''extremely concerned about the level of the federal debt and the unchecked annual budget deficits that have become the new normal in Washington, DC''. I also agree with them that ''the U.S. government must learn to spend more wisely.'' And I believe that they have the sequencing of these issues in the correct form when they close by urging those of us in Congress to ''raise the federal debt ceiling and set in motion a dialogue to curb unchecked federal spending.'' I believe it is essential that we raise the debt ceiling and avoid negative economic consequences, and at the same time commit ourselves to adopting a set of policies that will substantially reduce the deficit over

time. For example, Mr. Speaker, I personally renew my call to our colleagues to put an end to the wars in Afghanistan and Iraq which no longer can be justified in terms of national security, and which together costs us well over $100 billion dollars a year, as part of a package of steps that will bring down our annual deficits.

[From the Herald News, July 13, 2011]

CHAMBER URGES CONGRESS TO RAISE DEBT LIMIT

(By Jason Rua and Robert A. Mellion)

The Fall River Area Chamber of Commerce and Industry represents a broad range of businesses in the South Coast region of Massachusetts.

Our membership employs tens of thousands of people comprising all sectors of the economy including education and high tech to healthcare, tourism and hospitality, manufacturing, service and small businesses. They are also the individuals who are making the local investments, taking risks, creating jobs and through their taxes and payrolls, providing the means for the community to afford the public amenities we all enjoy.

That is why the chamber, on behalf of its diverse and vested membership, respectfully urges Congress to place the nation ahead of party politics by raising the federal debt limit without delay. Failure to increase the statutory debt limit in a timely fashion can have a significant and long-lasting negative impact on any potential recovery in the towns and cities of the South Coast. For that reason we urge the Massachusetts congressional delegation to act prudently by representing the best interests of your constituency.

Raising the statutory debt limit is critical to ensuring global confidence in the creditworthiness of the United States. Not acting decisively on this issue will raise national interest rates and inevitably the ability of businesses to secure financing.

With economic growth in the commonwealth of Massachusetts slowly picking up for the first time in three years, we cannot afford to jeopardize a few steps forward with the threat of a massive spike in borrowing costs that would result if our country defaulted on its international obligations. To the contrary, it is practical economic theory that the United States stands fully behind its legal obligations.

In making such recommendations, business leaders in the SouthCoast also remain extremely concerned about the level of the federal debt and the unchecked annual budget deficits that have become the new normal in Washington D.C. Balance to our fiscal position is critical for national economic sustainability and tough decisions on federal spending must be made as part of a long term debate about the future of this nation. Quite simply, the U.S. government must learn to spend more wisely.

The chamber trusts that under the continued leadership offered by the bipartisan Massachusetts congressional delegation, Congress will again take the necessary steps to preserve our nation's financial standing in the world. Such stewardship is required in this 11th hour. Please ensure that the national and Massachusetts economies continue on a path toward restored prosperity. Raise the federal debt ceiling and set in motion a dialogue to curb unchecked federal spending.

RECOGNIZING THE 37TH ANNIVERSARY OF THE TURKISH INVASION OF CYPRUS

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mrs. CAPPS. Mr. Speaker, on July 20, we mark the 37th anniversary of the Turkish invasion and subsequent occupation of Cyprus.

Cyprus has a rich culture and religious history. However, its history has been difficult due to myriad conflicts with its neighbor Turkey, including the occupation, which continues to this day on over a third of the Island.

I want to express my concern about violations of human rights and fundamental freedoms of the Cypriot people. Moreover, reports of the segregation of Greek and Turkish Cypriot people are equally troubling. Any means of violence has simply exacerbated conflicts between the Cypriot and Turkish people, and cannot be an option moving forward.

Cyprus and the U.S. share a deep and abiding commitment to upholding the ideals of freedom, democracy, justice, human rights, and the international rule of law. Infringements upon these American—and Cypriot—principles should not go unnoticed. I remain steadfast in my dedication to correcting these problems and working with others to ensure that Cyprus can flourish for years to come.

Thirty-seven years later, I remain committed to the goal of a reunified and prosperous Cyprus where Greek Cypriots and Turkish Cypriots can live together in peace and security.

INTRODUCTION OF THE INNOVATIVE DESIGN PROTECTION AND PIRACY PREVENTION ACT

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. GOODLATTE. Mr. Speaker, Article I, section 8, of the Constitution lays the framework for our nation's copyright laws. It grants Congress the power to award inventors and creators for limited amounts of time exclusive rights to their inventions and works. The Founding Fathers realized that such an incentive was crucial to ensure that America would become the world's leader in innovation and creativity. This incentive is still necessary to maintain America's position as the world leader in innovation.

Most industrialized nations provide legal protection for fashion designs. However, in the United States, the world's leader in innovation and creativity, fashion designs are not protected by traditional intellectual property regimes. Copyrights are not granted to apparel because articles of clothing, which are both creative and functional, are considered useful articles, as opposed to works of art. Design patents are intended to protect ornamental designs, but clothing rarely meets the criteria of patentability. Trademarks only protect brand names and logos, not the clothing itself. And the Supreme Court has refused to extend trade dress protection to apparel designs. Thus, a thief violates Federal law when he steals a creator's design, reproduces and sells that article of clothing, and attaches a fake label to the garment for marketing purposes.

But it is perfectly legal for that same thief to steal the design, reproduce the article of clothing, and sell it, provided he does not attach a fake label to the finished product. This loophole allows pirates to cash in on the sweat equity of others and prevents designers in our country from reaping a fair return on their creative investments.

The production lifecycle for fashion designs is very short. Once a design achieves popularity through a fashion show or other event, a designer usually has a limited number of months to produce and market that original design. Further complicating this short-term cycle is the reality that once a design is made public, pirates can immediately offer identical knockoffs on the Internet for distribution.

Again, under current law, this theft is legal unless the thief reproduces a label or trademark. And because these knockoffs are usually of such poor quality, they damage the designer's reputation as well. Common sense dictates that we should inhibit this activity by protecting original fashion works.

Our undertaking is similar to action taken by Congress in 1998 when we wrote Chapter 13 of the Copyright Act, which offers protection for vessel hull designs. The "Innovative Design Protection and Piracy Prevention Act" amends this statutory template to include protections for fashion designs. Because the production lifecycle for fashion designs is very short, this legislation similarly provides a shorter period of protection of 3 years that suits the industry.

The bill enjoys support among those in the fashion and apparel industries. While concerns have been expressed about the scope of previous versions of this legislation, my office has engaged in discussions through the years with interested parties to ensure that the bill does not prohibit designs that are simply inspired by other designs; rather, the legislation only targets those designs that are "substantially identical" to a protected design. Other provisions, including a "home-sewing" exception and a requirement that a designer alleging infringement plead with particularity, ensure that the bill does not encourage harassing or litigious behavior.

I urge the Members of the House to support this legislation, which will grant to American creators similar protections that those in most other industrialized countries enjoy.

H. RES. 268—U.S. SUPPORT FOR A NEGOTIATED SOLUTION TO THE ISRAELI-PALESTINIAN CONFLICT

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. ISRAEL. Mr. Speaker, I rise today as a cosponsor of H. Res. 268. This resolution reaffirms the United States' support for a negotiated solution to the Israeli-Palestinian conflict.

For those who say the path to peace in the Middle East is easy, let them consider the path I recently had to take just to fly to Israel. In May, I traveled with other members of this body on a bipartisan Congressional delegation to the Middle East. Our trip was scheduled to

take us from the Al Udeid Air Base in Qatar, across Kuwait and Iraq and into Israel. However, before our plane was able to take off the Kuwaitis denied us overflight rights because our destination was Israel. After lengthy negotiations, our pilots were given permission to fly over Kuwaiti airspace, but as our plane neared the Iraqi border the government of Iraq denied our request to enter their airspace, again because our destination was Israel. We were forced to circle for 90 minutes while we once again negotiated with a government for whom the United States has spilled both blood and treasure. Finally, the Iraqis gave us permission to fly over their country only if we agreed to land in Jordan before flying on to Israel. Our plane landed in Amman, taxied to the end of the runway, and then took off for a seven minute flight to Israel. Apparently, American service members can die in Iraq, American taxpayer dollars can be spent on Iraq, but an American Congressional delegation on a U.S. military aircraft cannot fly over Iraq en route to Israel. So, when Israel's neighbors demand that Israel make difficult concessions as a precursor to peace negotiations, we should keep in mind the behavior of these neighbors and their refusal to accept Israel's right to exist as a Jewish state.

Now the Palestinians are threatening to seek a unilateral declaration of statehood through the United Nations. President Obama has already stated that the United States will veto any unilateral declaration at the UN, so the Palestinians' continued push for a UN vote in September is nothing but an attempt to delegitimize the state of Israel. Today, the House of Representatives can reinforce our nation's support for Israel and support for a negotiated peace.

Israel has shown it is ready to take risks for peace. If the Palestinians want a state that is formally recognized by the international community they should sit down with the Israelis and negotiate.

H. RES. 268

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Ms. MOORE. Mr. Speaker, I emphatically agree that a negotiated settlement to the Israeli-Palestinian conflict is the only viable path forward for the parties and for those in the international community and region who seek peace and stability in this contentious area of our world.

I want to be clear: unilateral actions by the Palestinians or Israelis, including seeking recognition at the U.N., are not helpful to the peace process. It seems to me that there have not been many successful unilateral acts undertaken in this region that have resulted in more peace and less violence. Why would anyone want to go down that road again?

Limiting this resolution to the sentiment expressed in bullet number one of the resolution that reaffirms Congress' ''strong support for a negotiated solution to the Israeli-Palestinian conflict resulting in two states, a democratic, Jewish state of Israel and a viable, democratic Palestinian state, living side-by-side in peace, security, and mutual recognition'' would have won my enthusiastic and full-hearted support.

It was the presence of this language that kept me from voting no on this resolution. I again reiterate my condemnation of this House continuing to bring resolutions that only seem to relitigate every wrong committed by one party to this conflict. Whatever happened to the grandiose ideal that the United States of America would be an ''honest broker'' in this process?

The fact is that both Palestinian President Mahmoud Abbas and Israeli Prime Minister Benjamin Netanyahu have tough choices ahead of them that will affect the pursuit of peace in the Middle East. As I stated in a letter to President Obama last year in support of strong U.S. engagement in renewed Middle East Peace talks, allowing actions by either party that undermine the process to go unchallenged serves to fan animosity and mistrust, which feeds a cycle of conflict and violence. This neither serves the interests of the U.S., our ally Israel, nor the Palestinians.

We must avoid ending up in a situation like Canada reportedly faced last year when it cut funding for activities of the U.N. Relief and Works Agency for Palestine Refugees only to have the government of Israel, among others, push for a reversal of that decision. It's an example of an action that looks ''pro-Israel'' on the politics, but failed the more important test of whether it actually advanced or hindered the interests of our allies in the region.

The Palestinian people don't want symbolic statehood, they want an actual state with borders and the ability to enjoy a livelihood in peace and security. The same for the Israeli people. They want real security and real peace. Both peoples would gladly trade resolutions from the U.S. Congress for real progress on the ground.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, July 14, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 15

10 a.m.
Commission on Security and Cooperation in Europe
To hold hearings to examine internet freedom in the Organization for Security and Co-operation in Europe (OSCE) region, focusing on current trends in internet governance.
210, Cannon Building

JULY 19

9:30 a.m.
Armed Services
To hold hearings to examine the nominations of Madelyn R. Creedon, of Indiana, to be an Assistant Secretary for Global Strategic Affairs, and Alan F. Estevez, of the District of Columbia, to be Assistant Secretary for Logistics and Materiel Readiness, both of the Department of Defense.
SD–G50

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine enhanced consumer financial protection after the financial crisis.
SD–538

Environment and Public Works
To hold hearings to examine the nominations of Kenneth J. Kopocis, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency, and Rebecca R. Wodder, of Virginia, to be Assistant Secretary of the Interior for Fish and Wildlife.
SD–406

Foreign Relations
To hold hearings to examine the nominations of David S. Adams, of the District of Columbia, to be Assistant Secretary for Legislative Affairs, and Joyce A. Barr, of Washington, to be Assistant Secretary for Administration, both of the Department of State.
SD–419

10:30 a.m.
Judiciary
Crime and Terrorism Subcommittee
To hold hearings to examine Drug and Veterans Treatment Courts, focusing on seeking cost-effective solutions for protecting public safety and reducing recidivism.
SD–226

Energy and Natural Resources
To hold hearings to examine the recent report of the Massachusetts Institute of Technology (MIT) energy initiative entitled ''The Future of Natural Gas''.
SD–366

2:30 p.m.
Homeland Security and Governmental Affairs
Disaster Recovery and Intergovernmental Affairs Subcommittee
To hold hearings to examine 2011 spring storms, focusing on picking up the pieces and building back stronger.
SD–342

Foreign Relations
Near Eastern and South and Central Asian Affairs Subcommittee
To hold hearings to examine United States policy in Yemen.
SD–419

JULY 20

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine building American transportation infrastructure through innovative funding.
SR–253

Banking, Housing, and Urban Affairs
Economic Policy Subcommittee
To hold hearings to examine access to capital, focusing on fostering job creation and innovation through high-growth startups.
SD–538

Foreign Relations
To hold hearings to examine the nominations of Earl Anthony Wayne, of Maryland, to be Ambassador to Mexico, and Arnold A. Chacon, of Virginia, to be Ambassador to the Republic of Guatemala, both of the Department of State.
SD–419

Health, Education, Labor, and Pensions
Business meeting to consider S. 958, to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, S. 1094, to reauthorize the Combating Autism Act of 2006 (Public Law 109–416), an original bill entitled, ''Workforce Investment Act Reauthorization of 2011'', and any pending nominations.
SD–430

Homeland Security and Governmental Affairs
To hold hearings to examine Federal regulation, focusing on a review of legislative proposals, part II.
SD–342

Judiciary
To hold hearings to examine S. 598, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, focusing on assessing the impact of the Defense of Marriage Act on American families.
SD–226

Environment and Public Works
Transportation and Infrastructure Subcommittee
To hold an oversight hearing to examine the Yellowstone River oil spill.
SD–406

2 p.m.
Armed Services
Personnel Subcommittee
To hold hearings to examine providing legal services by members of the Judge Advocate Generals' Corps.
SR–232A

2:30 p.m.
Commerce, Science, and Transportation
Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee
To hold hearings to examine looking to the future, focusing on, lessons in prevention, response, and restoration from the Gulf oil spill.
SR–253

JULY 21

2:15 p.m.
Indian Affairs
To hold an oversight hearing to examine floods and fires, focusing on emergency preparedness for natural disasters in the native communities.
SD–628

JULY 27

2 p.m.
Armed Services
Readiness and Management Support Subcommittee
To hold hearings to examine financial management and business transformation at the Department of Defense.
SR–232A

JULY 28

2:15 p.m.
Indian Affairs
To hold an oversight hearing to examine enforcing the ''Indian Gaming Regulatory Act'', focusing on the role of the National Indian Gaming Commission and tribes as regulators.
SD–628

2:30 p.m.
Energy and Natural Resources
National Parks Subcommittee
To hold hearings to examine S. 264, to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, S. 265, to authorize the acquisition of core battlefield land at Champion Hill, Port Gibson, and Raymond for addition to Vicksburg National Military Park, S. 324, to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission, S. 764, to amend the Wild and Scenic Rivers Act to make technical corrections to the segment designations for the Chetco River, Oregon, S. 864, to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California, S. 883, to authorize National Mall Liberty Fund D.C. to establish a memorial on Federal land in the District of Columbia to honor free persons and slaves who fought for independence, liberty, and justice for all during the American Revolution, S. 888, to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System, S. 925, to designate Mt. Andrea Lawrence, S. 970, to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System, S. 1063, to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of Alaska, S. 1134, to authorize the St.

Croix River Crossing Project with appropriate mitigation measures to promote river values, and S. 1235, to recognize the memorial at the Navy UDT–SEAL Museum in Fort Pierce, Florida, as the official national memorial of Navy SEALS and their predecessors.

SD–366

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4535–S4565

Measures Introduced: Fifteen bills and two resolutions were introduced, as follows: S. 1352–1366, and S. Res. 232–233. **Pages S4554–55**

Measures Passed:

Honoring the NASA Space Shuttle Program: Senate agreed to S. Res. 233, honoring the men and women of the National Aeronautics and Space Administration Space Shuttle Program on reaching the historic milestone of the 135th and final flight of the Space Transportation System. **Pages S4563–64**

Measures Considered:

Sense of the Senate Regarding the Budget Deficit: Senate continued consideration of S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit, taking action on the following amendments proposed thereto: **Pages S4536–42**

Pending:

Reid Amendment No. 529, to change the enactment date. **Page S4536**

Reid Amendment No. 530 (to Amendment No. 529), of a perfecting nature. **Page S4536**

Reid motion to commit the bill to the Committee on Finance, with instructions, Reid Amendment No. 531, of a perfecting nature. **Page S4536**

Reid Amendment No. 532 (to the instructions (Amendment No. 531) of the motion to commit), of a perfecting nature. **Page S4536**

Reid Amendment No. 533 (to Amendment No. 532), of a perfecting nature. **Page S4536**

During consideration of this measure today, Senate also took the following action:

By 51 yeas to 49 nays (Vote No. 108), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the bill. **Page S4542**

Military Construction and Veterans Affairs, and Related Agencies Appropriations Act—Agreement: Senate resumed consideration of the motion to proceed to consideration of H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012. **Pages S4542–52**

During consideration of this measure today, Senate took the following action:

By 89 yeas to 11 nays (Vote No. 109), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Page S4542**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill, post-cloture, at approximately 10:30 a.m., on Thursday, July 14, 2011; provided further, that all time during adjournment, morning business and recess count post-cloture on the motion to proceed to consideration of the bill. **Page S4565**

Messages from the House: **Page S4554**

Measures Referred: **Page S4554**

Additional Cosponsors: **Pages S4555–57**

Statements on Introduced Bills/Resolutions: **Pages S4557–62**

Additional Statements: **Page S4554**

Amendments Submitted: **Page S4562**

Notices of Hearings/Meetings: **Pages S4562–63**

Authorities for Committees to Meet: **Page S4563**

Privileges of the Floor: **Page S4563**

Record Votes: Two record votes were taken today. (Total—109) **Page S4542**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 5:45 p.m., until 9:30 a.m. on Thursday, July 14, 2011. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4565.)

Committee Meetings

(Committees not listed did not meet)

DEFENSE AUTHORIZATION REQUEST AND THE FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Subcommittee on SeaPower concluded a hearing to examine the required force level of strategic airlift aircraft mandated by title 10, United States Code, and the administration's request to eliminate that requirement in review of the Defense Authorization Request and the Future Years Defense Program, after receiving testimony from Christine H. Fox, Director of Cost Assessment and Program Evaluation, General Duncan J. McNabb, USAF, Commander, United States Transportation Command, and General Raymond E. Johns, Jr., USAF, Commander, Air Mobility Command, all of the Department of Defense.

UNAUTHORIZED CHARGES ON TELEPHONE BILLS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine unauthorized charges on telephone bills, focusing on why crammers win and consumers lose, after receiving testimony from Illinois Attorney General Lisa Madigan, Chicago; Elliot Burg, Vermont Attorney General's Office, Montpelier; David Spofford, Xigo, LLC, Manassas, Virginia; Walter B. McCormick, Jr., United States Telecom Association, Washington, D.C.; and Susan Eppley, Decatur, Georgia.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following business items:

S. 538, to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act, with an amendment;

S. 899, to provide for the eradication and control of nutria, with an amendment;

S. 846, to designate the United States courthouse located at 80 Lafayette Street in Jefferson City, Missouri, as the Christopher S. Bond United States Courthouse;

S. 1302, to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy;

S. 1313, to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, with an amendment in the nature of a substitute.

Also, committee approved a proposed resolution relating to the Corps Study, and proposed resolutions relating to the General Services Administration.

TAX REFORM AND THE TAX TREATMENT OF DEBT AND EQUITY

Committee on Finance: Committee concluded a joint hearing with the House Committee on Ways and Means to examine tax reform and the tax treatment of debt and equity, after receiving testimony from Thomas Barthold, Chief of Staff, Joint Committee on Taxation; Pamela F. Olson, Skadden, Arps, Slate, Meagher and Flom, LLP, Washington, D.C.; Victor Fleischer, University of Colorado Law School, Boulder; Mihir A. Desai, Harvard University Law School, Boston, Massachusetts; and Simon Johnson, Massachusetts Institute of Technology Sloan School of Management, Cambridge.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Paul D. Wohlers, of Washington, to be Ambassador to the Republic of Macedonia, William H. Moser, of North Carolina, to be Ambassador to the Republic of Moldova, John A. Heffern, of Missouri, to be Ambassador to the Republic of Armenia, Thomas M. Countryman, of Washington, to be Assistant Secretary for International Security and Non-Proliferation, Jeffrey DeLaurentis, of New York, to be Alternate Representative for Special Political Affairs in the United Nations, with the rank of Ambassador, and to be an Alternate Representative to the Sessions of the General Assembly of the United Nations, during his tenure of service as Alternate Representative for Special Political Affairs in the United Nations, all of the Department of State, after the nominees testified and answered questions in their own behalf.

PREVENTING TERRORIST TRAVEL

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine ten years after 9/11, focusing on preventing terrorist travel, after receiving testimony from Rand Beers, Under Secretary, National Protection and Programs Directorate, and Coordinator for Counterterrorism, and David Heyman, Assistant Secretary for Policy, both of the Department of Homeland Security; and Janice L. Jacobs, Assistant Secretary of State for Consular Affairs.

VIOLENCE AGAINST WOMEN ACT

Committee on the Judiciary: Committee concluded a hearing to examine the "Violence Against Women Act," focusing on building on seventeen years of accomplishments, and what national data collection efforts are underway to address some information gaps, after receiving testimony from Eileen R. Larence, Director, Homeland Security and Justice, Government Accountability Office; Michael Shaw, Waypoint

Services, Cedar Rapids, Iowa; Jane A. Van Buren, Women Helping Battered Women, Inc., Burlington, Vermont; Phillip C. McGraw, Los Angeles, California; and Julie Poner, Indianapolis, Indiana.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Morgan Christen, of Alaska, to be United States Circuit Judge for the Ninth Circuit, and Sharon L. Gleason, to be United States District Judge for the District of Alaska, who were both introduced by Senators Begich and Murkowski, Scott Wesley Skavdahl, to be United States District Judge for the District of Wyoming, who was introduced by Senators Enzi and Barrasso, Yvonne Gonzalez Rogers, to be United States District Judge for the Northern District of California, and Richard G. Andrews, to be United States District Judge for the District of Delaware, who was introduced by Senator Carper, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 19 public bills, H.R. 2508–2526; and 1 resolution, H.J. Res. 72 were introduced. **Pages H5017–18**

Additional Cosponsors: **Pages H5019–20**

Report Filed: A report was filed on June 24, 2011 as follows:

First Semiannual Report on the Activity of the Committee on Small Business for the 112th Congress (H. Rept. 112–146). **Page H5017**

Speaker: Read a letter from the Speaker wherein he appointed Representative Ellmers to act as Speaker pro tempore for today. **Page H4949**

Recess: The House recessed at 10:52 a.m. and reconvened at 12 noon. **Pages H4954–55**

Recess: The House recessed at 1:07 p.m. and reconvened at 2 p.m. **Page H4963**

Clean Water Cooperative Federalism Act of 2011: The House passed H.R. 2018, to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, by a yea-and-nay vote of 239 yeas to 184 nays, Roll No. 573. **Pages H4957–62, H4963–87, H4987–95**

Rejected the McNerney motion to recommit the bill to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 188 ayes to 238 noes, Roll No. 572. **Pages H4992–94**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule. **Page H4974**

Agreed to:

Hanabusa amendment (No. 4 printed in H. Rept. 112–144) that requires the Administrator of the EPA to submit to Congress, within one year and then annually thereafter, a report on any increase in waterborne pathogenic microorganisms (including protozoa, viruses, bacteria, and parasites), toxic chemicals, or toxic metals (such as lead and mercury) in waters regulated by a State under the provisions of H.R. 2018, including any amendments to the bill; **Page H4980**

Cohen amendment (No. 8 printed in H. Rept. 112–144) that clarifies that nothing in the bill can limit the EPA Administrator's authority to regulate a pipeline that crosses a streambed; and **Pages H4983–84**

Capito amendment (No. 3 printed in H. Rept. 112–144) that requires the EPA to analyze the impact of certain covered actions on employment levels and economic activity and requires public notice and a hearing in those instances where a covered action has more than a de minimis impact on employment or economic activity in any given state (by a recorded vote of 268 ayes to 152 noes, Roll No. 566). **Pages H4978–80, H4988–89**

Rejected:

Jackson Lee (TX) amendment (No. 2 printed in H. Rept. 112–144) that sought to allow the EPA to continue to have the authority to set standards for NPDES Permit programs by striking section 2 (by a recorded vote of 170 ayes to 252 noes, Roll No. 565); **Pages H4977–78, H4987–88**

Polis amendment (No. 5 printed in H. Rept. 112–144) that sought to exclude from this act permit holders who are on the significant non-compliance list (by a recorded vote of 191 ayes to 231 noes, Roll No. 567); **Pages H4980–81, H4989**

Connolly amendment (No. 6 printed in H. Rept. 112–144) that sought to align federal funding with the scope of federal clean water regulations (by a recorded vote of 181 ayes to 240 noes, Roll No. 568); **Pages H4981–83, H4989–90**

Blumenauer amendment (No. 9 printed in H. Rept. 112–144) that sought to exclude from coverage under the bill any waters that EPA determines provide flood protection for communities, are a valuable fish and wildlife habitat that provide benefits to the economy, or are coastal recreational waters (by a recorded vote of 183 ayes to 237 noes, Roll No. 569); **Pages H4984–86, H4990**

Carnahan amendment (No. 10 printed in H. Rept. 112–144) that sought to restrict the application of the bill if a major disaster had been declared in the area due to flooding within the last five years, or the waters in question had contributed to such a declaration (by a recorded vote of 173 ayes to 247 noes, Roll No. 570); and **Pages H4986–87, H4991**

Jackson Lee (TX) amendment (No. 1 printed in H. Rept. 112–144) that sought to strike all after the enacting clause (by a recorded vote of 167 ayes to 254 noes, Roll No. 571). **Pages H4975–77, H4991–92**

H. Res. 347, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 250 yeas to 171 nays, Roll No. 564, after the previous question was ordered without objection. **Page H4963**

Recess: The House recessed at 4:27 p.m. and reconvened at 5:20 p.m. **Page H4987**

Energy and Water Development and Related Agencies Appropriations Act, 2012: The House resumed consideration of H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012. Consideration of the measure began on Friday, July 8th. **Pages H4995–H5016**

Agreed to:

Rehberg amendment (No. 57 printed in the Congressional Record of July 11, 2011) that redirects $2,200,000 with respect to Fossil Energy Research and Development; **Pages H4995–97**

Broun (GA) amendment (No. 64 printed in the Congressional Record of July 12, 2011) that reduces funding for departmental administration expenses of the Department of Energy by $2,500,000 and applies the savings to the spending reduction account; and **Page H5009**

Fortenberry amendment that increases funding, by offset, for Defense Nuclear Nonproliferation by $35 million. **Pages H5009–10**

Withdrawn:

McKinley amendment (No. 25 printed in the Congressional Record of July 8, 2011) that was offered and subsequently withdrawn that sought to increase funding, by offset, for Fossil Energy Research and Development by $39 million. **Pages H4997–98**

Point of Order sustained against:

Heck amendment that sought to amend language in the bill relating to nuclear waste disposal activities in the State of Nevada. **Pages H5005–06**

Proceedings Postponed:

Matheson amendment that seeks to increase funding, by offset, for Non-Defense Environmental Cleanup by $10 million; **Pages H4998–99**

Reed amendment that seeks to increase funding, by offset, for Non-Defense Environmental Cleanup by $41 million; **Pages H4999–H5001**

Holt amendment (No. 65 printed in the Congressional Record of July 12, 2011) that seeks to increase funding, by offset, for Science by $42,665,000; **Pages H5001–03**

Royce amendment (No. 68 printed in the Congressional Record of July 12, 2011) that seeks to reduce funding for Science by $10 million and apply the savings to the spending reduction account; **Pages H5003–04**

Broun (GA) amendment (No. 43 printed in the Congressional Record of July 11, 2011) that seeks to reduce funding for Science by $820,488,000 and apply the savings to the spending reduction account; **Page H5005**

Schiff amendment that seeks to increase funding, by offset, for the Advanced Research Projects Agency—Energy by $79,640,000; **Pages H5006–08**

Broun (GA) amendment (No. 48 printed in the Congressional Record of July 11, 2011) that seeks to eliminate funding for the Advanced Technology Vehicles Manufacturing Loan Program and apply the savings to the spending reduction account; **Pages H5008–09**

Shimkus amendment that seeks to increase funding, by offset, for the Yucca Mountain license application by $10 million; and **Pages H5010–14**

Broun (GA) amendment (No. 47 printed in the Congressional Record of July 11, 2011) that seeks to eliminate funding for the Southeast Crescent Regional Commission and apply the savings to the spending reduction account. **Pages H5014–16**

H. Res. 337, the rule providing for consideration of the bill, was agreed to on Friday, July 8th.

Amendments: Amendments ordered printed pursuant to the rule appear on pages H5020.

Quorum Calls—Votes: Two yea-and-nay votes and eight recorded votes developed during the proceedings of today and appear on pages H4963, H4987, H4988–89, H4989, H4989–90, H4990, H4991, H4991–92, H4994, H4994–95. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:20 p.m.

Committee Meetings

FOREIGN AGRICULTURE AND FOOD AID PROGRAMS

Committee on Agriculture: Subcommittee on Rural Development, Research, Biotechnology, and Foreign Agriculture held a hearing on Agricultural Program Audit: Examination of Foreign Agriculture and Food Aid Programs. Testimony was heard from Suzanne Heinen, Acting Administrator, Foreign Agricultural Service, Department of Agriculture; and Nancy Lindborg, Assistant Administrator for the Bureau for Democracy, Conflict and Humanitarian Assistance, U.S. Agency for International Development.

MISCELLANEOUS MEASURES

Committee on Appropriations: Full Committee held a markup of the Commerce, Justice, Science, and Related Agencies Appropriations Bill, FY 2012, and Legislative Branch Appropriations Bill, FY 2012. Both bills were ordered reported, as amended.

MEDICARE AND SOCIAL SECURITY

Committee on the Budget: Full Committee held a hearing entitled ''Medicare and Social Security: The Fiscal Facts.'' Testimony was heard from Richard Foster, Chief Actuary, Centers for Medicare and Medicaid Services; and Stephen Goss, Chief Actuary, Social Security Administration.

MISCELLANEOUS MEASURES

Committee on Education and the Workforce: Full Committee held a markup of the following: H.R. 2465, the ''Federal Workers' Compensation Modernization and Improvement Act''; and H.R. 2445, the ''State and Local Funding Flexibility Act.'' H.R. 2465 was ordered reported, without amendment. H.R. 2445 was ordered reported, as amended.

IPAB: THE CONTROVERSIAL CONSEQUENCES FOR MEDICARE AND SENIORS

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled ''IPAB: The Controversial Consequences for Medicare and Seniors.'' Testimony was heard from Rep. Roe of Tennessee; Rep. Schwartz; Sen. Cornyn, Rep. George Miller of California; Kathleen Sebelius, Secretary, Department of Health and Human Services; Christopher M. Davis, Analyst on Congress and the Legislative Process, Congressional Research Service; David Newman, Specialist in Health Care Financing, Congressional Research Service; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee continued to mark up H.R. 2273, the ''Coal Residuals Reuse and Management Act of 2011.'' The bill was ordered reported, as amended.

MONETARY POLICY AND THE STATE OF THE ECONOMY

Committee on Financial Services: Full Committee held a hearing entitled ''Monetary Policy and the State of the Economy.'' Testimony was heard from Ben Bernanke, Chairman, Board of Governors of the Federal Reserve System.

MORTGAGE ORIGINATION: THE IMPACT OF RECENT CHANGES ON HOMEOWNERS AND BUSINESSES

Committee on Financial Services: Subcommittee on Insurance, Housing and Community Opportunity, hearing entitled ''Mortgage Origination: The Impact of Recent Changes on Homeowners and Businesses.'' Testimony was heard from Sandra F. Braunstein, Director of Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System; Teresa Payne, Associate Deputy Assistant Secretary, Regulatory Affairs, Department of Housing and Urban Development; Kelly Cochran, Deputy Assistant Director for Regulations, Consumer Financial Protection Bureau, Department of the Treasury; James R. Park, Executive Director, Appraisal Subcommittee, Federal Financial Institutions Examination Council; and William B. Shear, Director of Financial Markets and Community Investment, GAO; and public witnesses.

SECURING FEDERAL FACILITIES

Committee on Homeland Security: Subcommittee on Cybersecurity, Infrastructure Protection and Security Technologies held a hearing entitled ''Securing Federal Facilities: Challenges of the Federal Protective Service and the Need for Reform.'' Testimony was heard from L. Eric Patterson, Director, Federal Protective Service; Mark L. Goldstein, Director Physical Infrastructure, GAO; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Full Committee held a markup of the following: H.R. 1408, the ''Southeast Alaska Native Land Entitlement Finalization and Jobs Protection Act''; H.R. 1904, the ''Southeast Arizona Land Exchange and Conservation Act of

2011''; H.R. 2150, the ''National Petroleum Reserve Alaska Access Act''; H.R. 2170, the ''Cutting Federal Red Tape to Facilitate Renewable Energy Act''; H.R. 2171, the ''Exploring for Geothermal Energy on Federal Lands Act''; H.R. 2172, the ''Utilizing America's Federal Lands for Wind Energy Act''; and H.R. 2173, the ''Advancing Offshore Wind Production Act.'' H.R. 2150 was ordered reported without amendment. The following were ordered reported, as amended: H.R. 1408; H.R. 1904; H.R. 2170; H.R. 2171; H.R. 2172; and H.R. 2173.

AIRPORT PERIMETER SECURITY

Committee on Oversight and Government Reform: Subcommittee on National Security, Homeland Defense and Foreign Operations held a hearing entitled ''TSA Oversight Part 2: Airport Perimeter Security.'' Testimony was heard from John Sammon, Assistant Administrator, Transportation Security Administration; Stephen M. Lord, Director, Homeland Security and Justice Issues, GAO; William Parker, Inspector, K–9 Unit, Amtrak Police Department; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Science, Space, and Technology: Subcommittee on Technology and Innovation held a markup of legislation regarding the Border Security Technology Innovation Act of 2011. The bill was forwarded, as amended.

MISCELLANEOUS MEASURES

Committee on Small Business: Full Committee held a markup of the following: H.R. 527, the ''Regulatory Flexibility Improvements Act of 2011''; and H.R. 585, the ''Small Business Size Standard Flexibility Act of 2011.'' H.R. 527 was ordered reported, as amended. H.R. 585 was ordered reported, without amendment.

BALLAST WATER REGULATION

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation, and Subcommittee on Water Resources and Environment held a joint hearing entitled ''Reducing Regulatory Burdens, Ensuring the Flow of Commerce, and Protecting Jobs: A Common Sense Approach to Ballast Water Regulation.'' Testimony was heard from VADM Brian Salerno, Deputy Commandant for Operations, United States Coast Guard; James Hanlon, Director, Office of Wastewater Management, EPA; Deborah Swackhamer, Chair, EPA Science Advisory Board; and public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, JULY 14, 2011

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: To hold hearings to examine growing jobs in rural America, 9:30 a.m., SD–G50.

Committee on Appropriations: Subcommittee on Energy and Water Development, to hold hearings to examine the safety and economics of light water small modular reactors, 10 a.m., SD–192.

Committee on Banking, Housing, and Urban Affairs: To hold hearings to examine the semiannual Monetary Policy Report to Congress, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Science and Space, to hold hearings to examine the National Nanotechnology Investment, focusing on manufacturing, commercialization, and job creation, 10 a.m., SR–253.

Committee on Energy and Natural Resources: Business meeting to consider pending calendar business, 10 a.m., SD–366.

Committee on Foreign Relations: To hold hearings to examine Sudan, focusing on a roadmap forward, 10:30 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: To hold hearings to examine learning from what works for employment for persons with disabilities, 10 a.m., SD–430.

Committee on Indian Affairs: Business meeting to consider the nominations of Cynthia Chavez Lamar, of New Mexico, Barbara Jeanne Ells, of Colorado, and Deborah Downing Goodman, of Oklahoma, all to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development; to be immediately followed by an oversight hearing to examine native women, 2:15 p.m., SD–628.

Committee on the Judiciary: Business meeting to consider S. 1231, to reauthorize the Second Chance Act of 2007, S. 27, to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, S. 1228, to prohibit trafficking in counterfeit military goods or services, and the nominations of Steve Six, of Kansas, to be United States Circuit Judge for the Tenth Circuit, Stephen A. Higginson, of Louisiana, to be United States Circuit Judge for the Fifth Circuit, Jane Margaret Triche-Milazzo, to be United States District Judge for the Eastern District of Louisiana, Alison J. Nathan, and Katherine B. Forrest, both to be United States District Judge for the Southern District of New York, Susan Owens Hickey, to be United States District Judge for the Western District of Arkansas, Christopher Droney, of Connecticut, to be United States Circuit Judge for the Second Circuit, Robert David Mariani, to be United States District Judge for the Middle District of Pennsylvania, Cathy Bissoon, and Mark Raymond Hornak, both to be United States District Judge for the Western District of Pennsylvania, Robert N. Scola, Jr., to be United States District Judge for the

Southern District of Florida, and David V. Brewer, of Oregon, to be a Member of the Board of Directors of the State Justice Institute, 10 a.m., SD–226.

Committee on Veterans' Affairs: To hold hearings to examine Veterans' Affairs mental health care, focusing on closing the gaps, 10 a.m., SR–418.

Select Committee on Intelligence: To hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Agriculture, Subcommittee on Department Operations, Oversight, and Credit-Public, hearing on Agricultural Program Audit: Examination of USDA Farm Loan Programs, 2 p.m., 1300 Longworth.

Committee on Armed Services, Full Committee, hearing on Human Capital Management: A High Risk Area for the Department of Defense, 1 p.m., 2118 Rayburn.

Committee on Education and the Workforce, Subcommittee on Workforce Protections, hearing entitled ''The Fair Labor Standards Act: Is It Meeting the Needs of the Twenty-First Century Workplace?'' 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Environment and the Economy, hearing is entitled ''Regulatory Chaos: Finding Legislative Solutions to Benefit Jobs and the Economy,'' 9 a.m., 2322 Rayburn.

Subcommittee on Commerce, Manufacturing, and Trade and the Subcommittee on Communications and Technology, joint hearing entitled ''Internet Privacy: The Views of the FTC, the FCC, and NTIA,'' 11 a.m., 2123 Rayburn.

Subcommittee on Oversight and Investigations, business meeting to consider a motion authorizing the issuance of a subpoena for certain records of the Office and Management and Budget relating to the Department of Energy's issuance of a loan guarantee to Solyndra, Inc. on September 2, 2009. The meeting will begin at noon or 15 minutes after the conclusion of the Environment and the Economy Subcommittee hearing in 2322 Rayburn.

Committee on Financial Services, Subcommittee on Oversight and Investigations, hearing entitled ''Oversight of the Office of Financial Research and the Financial Stability Oversight Council,'' 2 p.m., 2128 Rayburn.

Committee on the Judiciary, Full Committee, markup of the following: H.R. 1932, the ''Keep Our Communities Safe Act of 2011''; H.R. 2480, the ''Administrative Conference of the United States Reauthorization Act of 2011''; H.R. 704, the ''Security and Fairness Enhancement for America Act of 2011''; and H.R. 1002, the ''Wireless Tax Fairness Act of 2011,'' 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Fisheries, Wildlife, Oceans, and Insular Affairs, hearing on the following: P.L. 110–229, the ''Consolidated Natural Resources Act''; H.R. 1466, to resolve the status of certain persons legally residing in the Commonwealth of the Northern Mariana Islands under the immigration laws of the United States; and H.R. 44, the ''Guam World War II Loyalty Recognition Act,'' 10 a.m., 1324 Longworth.

Subcommittee on National Parks, Forests and Public Lands, hearing entitled ''Secure Rural Schools Reauthorization and Forest Management Options for a Viable County Payments Program,'' 10 a.m., 1334 Longworth.

Subcommittee on Energy and Mineral Resources, hearing entitled ''Abandoned Mined Lands: Innovative Solutions for Restoring the Environment, Improving Safety and Creating Jobs,'' 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Full Committee, hearing entitled ''Consumer Financial Protection Efforts: Answers Needed,'' 9:30 a.m., 2154 Rayburn.

Subcommittee on Regulatory Affairs, Stimulus Oversight and Government Spending, hearing entitled ''EPA's Appalachian Energy Permitorium: Job Killer or Job Creator?'' 1:30 p.m., 2154 Rayburn.

Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform, hearing entitled ''Transparency and Federal Management IT Systems,'' 1:30 p.m., 2247 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Investigations and Oversight, hearing entitled ''EPA's IRIS Program: Evaluating the Science and Process Behind Chemical Risk Assessment,'' 10 a.m., 2318 Rayburn.

Subcommittee on Energy and Environment, markup of legislation regarding Harmful Algal Blooms and Hypoxia Research and Control Amendments Act of 2011, 2 p.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing entitled ''FEMA Reauthorization and Cutting the Red Tape in Recovery,'' 10 a.m., 2253 Rayburn.

Subcommittee on Railroads, Pipelines, and Hazardous Materials, hearing entitled ''Pipeline Safety,'' 10 a.m., 2167 Rayburn.

House Permanent Select Committee on Intelligence, Full Committee, hearing on Intelligence Oversight, 10 a.m., HVC–304. This is a closed hearing.

Subcommittee on Terrorism, HUMINT, Analysis, and Counterintelligence, hearing entitled ''Preventing Violent Extremism in America: A Report From the Bipartisan Policy Center,'' 2 p.m., 210 Cannon. This is an open hearing.

Next Meeting of the SENATE

9:30 a.m., Thursday, July 14

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of the motion to proceed to consideration of H.R. 2055, Military Construction and Veterans Affairs, and Related Agencies Appropriations Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, July 14

House Chamber

Program for Thursday: Resume consideration of H.R. 2354—Energy and Water Development and Related Agencies Appropriations Act, 2012.

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